

HOME GOVERNMENT FOR IRELAND.

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IRISH  
FEDERALISM!

ITS MEANING, ITS OBJECTS,

AND

ITS HOPES.

BY

ISAAC BUTT.

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*THIRD EDITION*

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DUBLIN:

JOHN FALCONER, 53, UPPER SACKVILLE-STREET.

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1870.

LOVE GOVERNMENT FOR IRELAND

THIS

WEDNESDAY

IS MEETING ITS OBJECTS

ITS NOTES

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JOHN FALCONER, PRINTER, 53, UPPER SACKVILLE-STREET, DUBLIN.

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1870

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## ADVERTISEMENT TO THE FIRST EDITION.

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I OFFER no apology for the appearance at the present moment of this tract upon a subject which is every day more and more occupying the attention of the Irish nation.

A very few words will explain the motive and object with which it has been written.

I have long since had the conviction forced upon me that it is equally essential to the safety of England and to the happiness and tranquillity of Ireland, that the right of self-government should be restored to this country.

Reflecting on all the difficulties which surround the question, I came some time ago to the conclusion that the best prospect of uniting Irishmen in a demand for home government, was to propose a Federal Union between the two countries.

The proposal, I need not say, is not a new one. During Mr. O'Connell's Repeal agitation it had been urged by the Rev. Mr. O'Malley in a series of letters of great ability and knowledge. It was advocated in one of the Repeal Prize Essays, which, though not awarded a prize, was specially published by the Repeal Association.\* It was

\* Supplemental Repeal Essay. Printed by the order of the Repeal Association. By George Ramsay, B.M., formerly of Trinity College, Cambridge. James Duffy, Dublin, 1845.

favourably entertained by Mr. O'Connell, who placed it before the public with a very manifest indication of the leaning of his own mind. It is confidently said by those who have means of knowing, that a plan of this nature was assented to by some of the Whig leaders before the return of the party to power in 1846. If so, there is no difficulty in understanding why it was abandoned. Evil days fell upon Ireland. The might of the people wasted away before the terrible famine that desolated our land. Even before this, the schism in the ranks of the Repealers weakened the influence of the great tribune of the people. The decline of his health and energies, in itself forebade the exercise of his old power for a year before the grave closed over him in the gloom and depression of his country. There are men who do not hesitate confidently to assert that had Lord Bessborough and O'Connell both lived, and O'Connell kept his power, a Federal Constitution for Ireland would have been among the Cabinet measures of the ministry which succeeded to that of Sir Robert Peel.

Even so recently as last year, Sir George Grey proposed the concession of such a constitution as the only remedy for Irish disaffection, and influential English journals expressed their cordial concurrence in his views.

Considering all these things, I felt satisfied that, even now, such a proposal, if moderately and temperately made, was calculated to obtain the assent



of thoughtful and intelligent Englishmen. I was sure that it would meet with the approval of many persons in both countries who would not support a measure which would simply repeal the Act of Union, without making some provision to secure the united action of the two countries in all matters that can concern them as one Imperial State. I was equally persuaded that under a Federal arrangement Ireland could enjoy all of self-government and distinct nationality which would be necessary for the full development of her national life. Even if I had felt less confidence in the success of the proposal, my conviction would have been equally decided, that it was essential to the interests of Ireland that it should be made.

Public matters were not then in a condition to justify any public agitation of the question, while attention was concentrated on the progress of legislation on the two great questions of the Church and the Land.

I had, however, opportunities in private of discussing the views I entertained with persons who had more power than I had of influentially directing Irish opinion.

A very general feeling is now entertained throughout Ireland that an effort should be made to obtain for the country the blessings of domestic government through the medium of a Federal arrangement, which would still preserve the unity and integrity of the Empire.

I believe, however, that the time is come when the Irish people expect that some definite proposal on the subject should be put before them.

There are many reasons which make me believe that I ought not to shrink from a task which, perhaps, few persons would be willing to undertake.

If I had none other I am anxious that the nature of my own views should be clearly understood as to the nature of the project which I was willing to recommend.

There is another motive which has had its influence in determining me to undertake this duty. I have been told by some persons that the proposal of Federalism would be unpopular with the Irish people—that, as compared with Repeal, it would be regarded as a lowering of the national flag, and that any person who would venture to bring it to the test of a detailed plan would be sure to forfeit the favour of Irish Nationalists.

I have more confidence in the sagacity and sober-mindedness of “Irish Nationalists” than to believe this. I have satisfied myself that, in a Federal Union, Ireland would take a higher place, and would exercise a greater influence than she did do, or ever could do, under the Constitution of 1782. I propose that Constitution perfected by a Federal Union with England. This ought to have been done in 1800. Instead of this the Irish Constitution was destroyed. But if that proposal be unpopular with any class or section of Irishmen, with the convictions

I entertain, this is just the reason why I should place it before them. I do not conceal from myself that to any part I have recently taken in Irish public affairs my countrymen have accorded an amount of personal favour and approval which I did not seek or expect. But the very confidence they have placed in me enjoins on me the deepest obligation of placing before them my own convictions on subjects of moment to the country, even if I did believe that by suppressing them I might win more of their favour or applause.

If I have approached my task with apprehension, it is certainly not from the fear of losing "popularity," as it is termed, with the people. In the very beginning of these pages I point to the difficulties which surround any private individual who offers on a great public question a detailed plan. I cannot, however, too strongly say that while in the general principles of a Federal Union I have the concurrence (evidenced by resolutions) of persons representing very different political opinions, in the details of the proposal I make I can speak for no one but myself. The outline I have sketched is, I fear, a rude and imperfect one, but it will suffice to originate discussion, and to draw out more complete suggestions. If this little tract shall be the means of directing practical attention to the subject, so as to elicit the formation of a plan of Federal Union which may recommend itself to the judgment of right-thinking men in both countries, my object will be fully



gained, and I will not regret a step by which I know I expose myself to the risk which always attends the detailed proposal of a novel project in public affairs.

If I did not believe it of the deepest importance to the cause of Ireland that the proposal of a Federal Union should be made, these pages would never have been written. As it is I offer them to the Irish people as a very sincere, although I know imperfect, effort to serve that cause of Irish Nationality with which the whole soul and heart of Ireland are bound up.

This publication may be probably the only material aid which I can render to the effort now making to win for Ireland such an amount of self-government as may give us the management of our own internal affairs. The attempt to combine, with the toilsome duties of a profession, attention to the working of any political movement, imposes too severe a strain upon the mental energies. I have, perhaps, taken my fair share in the labours and anxieties which have attended the effort to keep up the national spirit in years of depression and difficulty. I must, I am afraid, leave it to others to take up that task in easier and more pleasant times. I will rejoice to see those who do so carry to a successful issue the project, in the origination of which I shall ever, with pride, remember that I took a part.

I. B.

DUBLIN, *August 15th*, 1870.

## ADVERTISEMENT TO THE THIRD EDITION.

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THE demand within a short period for a third edition of this tract may perhaps be accepted as a proof that the proposal which it makes is one which has in some degree, at least, engaged the attention of the public.

Since the publication of the first edition, some of its statements and arguments have received singular confirmation. I allude particularly to the argument founded on the impossibility of Parliament, constituted as it is at present, giving adequate attention to the affairs of any part of the United Kingdom. The passages in which I have endeavoured to point out the injurious effect of this upon English interests\* will not be thought over-strained by any one who has read the recent speech of the Chancellor of the Exchequer at Dundee. He felt himself bound to apologize to the Scotch representatives for the neglect of pressing Scotch interests during the last session. His apology was that English business of immediate moment had been also set aside, and that both had been thrust out of the way in consequence of the urgency of Irish affairs.

It requires some thought to appreciate the magnitude of this evil. Within the last thirty years great changes have been made in the manner in which

\* Pp. 78, 79.



business is conducted in the House of Commons. The direction of all these changes has been towards the abridgment of the freedom, or at least the fulness of debate, and the curtailment of the privileges of "private members," as those gentlemen are termed who occupy no official position. They have all been made with a view of enabling the ministers of the Crown to expedite Government business through the House. The subject is a large one, and not to be incidentally discussed. But certainly the necessity of "getting through" the work that has been cast upon them has induced the House of Commons to depart from many of its ancient traditions, and give up many of the most valuable privileges which were once considered essential protections of the independence of its own members and of the rights of the people. The most striking instance of this is, perhaps, the abandonment, after some struggles to retain it, of the immemorial usage of debating the subject of petitions presented to the House. But this is only one of many alterations which have really effected a great change in the character of Parliamentary discussions of public affairs.\* The change has been

\* The practice was finally abandoned in 1842, after an effort, persevered in for a few years, to devote morning sittings to the special purposes of receiving and discussing "the petitions of the people." Lord Brougham deeply lamented the change, and observed that all the great questions of liberal progress in his day, including the abolition of slavery, Catholic emancipation, and even the reform bill, had been really carried by the incidental discussions on the presentation of petitions.

made gradually, but it has not been without its injurious effect upon the character of the popular branch of the legislature, and of the legislation and government of the country.

Mr. Lowe has abundantly confirmed the statement which these pages contain, as to the injurious effects of the Union upon English legislation. Of the description of the evil influence of the present system upon Irish legislation, a still more remarkable confirmation is to be found in the letter addressed to me by Lord Clancarty, and which has been (with his consent) published in the newspapers. The pressing demand for a new edition will not permit me to enter on an examination of the difficulties which Lord Clancarty believes likely to impede, or at least retard, the restoration of a Parliament to Ireland. Some of these difficulties, I cannot help thinking, are met in the arguments of the tract. But while I myself believe that from the constituencies suggested in these pages (including those learned bodies which Lord Clancarty would desire to see represented)\* we would obtain a House of Commons really and truly representing the intelligence, the energy, and the patriotism of the nation, I should be very sorry to be considered as binding anyone, even myself, to any of the details I have suggested. The suggestions

\* "Thus, with representations from the universities, and possibly from the colleges of physicians and surgeons, and some other bodies of that nature, we could easily form a constituency for a House of Commons fairly representing the Irish nation."—Page 56.

of this tract were thrown out as materials for discussion, not as presenting the precise form which the claim for a domestic Parliament is ultimately to assume. I endeavoured to point out in these pages that it is both the interest and the duty of those who occupy the higher stations in Irish society to take their part with the people in seeking our own Parliament, and in moulding and determining the forms which the Federal Constitution is to assume. It is from the joint deliberations of all classes of Irishmen that we may most confidently hope to present a plan of a national legislature, in which the just influence of property, and education, and rank may be harmoniously combined with popular privileges and power, so as to make the legislature the real representative of the nation.

No testimony can be more decisive than the testimony which Lord Clancarty has borne to the failure of the Union arrangements, and the absolute necessity of domestic legislation, if we are ever to have good government for Ireland. That testimony should be preserved in a form that is, perhaps, a little more permanent than the fleeting columns of a newspaper, and it is added as an appendix to this edition of this tract.

If there were no other argument in favour of a separate Parliament for each of the three countries, the necessity of some such measure would be abundantly proved by the magnitude and multiplicity of business which the demands of the progress of our



social system impose upon the assembly which now attempts to transact the business of them all—business which would give ample employment to the energies of three separate legislatures.

The demand for a National Parliament rests, indeed, upon higher and more sacred grounds. Of one thing I am sure—that the desire for national independence will never be plucked or torn from the heart of the Irish nation. This tract was written, not to stimulate that desire—not even so much to show that it is reasonable—as to point out the means by which it is possible to realize that independence without breaking up the unity of the empire, interfering with the monarchy, or endangering the rights or liberties of any class of Irishmen.

Even at a time when popular thought has been occupied and popular feeling engaged by the mighty events which have swept by us with such wondrous rapidity on the continent, the proposal which I ventured to throw out has met with an amount of attention which I scarcely expected it would receive. In the present condition of European affairs, involving in uncertainty all the relations of English politics, the time is scarcely come for Irishmen to take any energetic or decided action in asking for the establishment of that “home government” upon which Ireland has determinedly set her heart. No one can say how soon that time may come. I will be content if in the interim I have contributed ever so slightly to direct the dispassionate and deliberate considera-

tion of Irishmen to the great practical question which they must then solve—if, above all, I have done anything which may accustom them to think of the attainment of national independence as a matter that is to be achieved in peaceful relations with the English crown and nation—and as a right that is to be demanded, not by any section or faction of the Irish people, but with the united voice of all creeds and classes of the nation.

I would be both unjust and ungrateful if I did not take the opportunity of acknowledging the fairness, and, I must say, the generosity of the criticism which has been bestowed upon this tract by many of the English journals which have most strongly combated the proposal it contains. It is by full and free discussion, in which national opinions and even national prejudices are treated with respect on both sides, that national animosities can be disarmed. If Irishmen and Englishmen discuss their international relations in a spirit of mutual forbearance and good will, there is no difficulty in arriving at an amicable and cordial adjustment of differences, which—if exasperated by insult and contempt of Irish feeling and sentiment—will one day or other find a very different solution.

I. B.

DUBLIN, *November 2nd*, 1870.



## IRISH FEDERALISM!

ITS MEANING, ITS OBJECTS,

AND

ITS HOPES.

At a Meeting of the Home Government Association,  
held on the 6th of October, 1870,

The Right Honourable the LORD MAYOR in the  
Chair,

It was proposed by the Rev. J. A. Galbraith,  
F.T.C.D., and seconded by John Martin, Esq., of  
Kilbroney, and unanimously—

RESOLVED—"That we feel it of great importance that public opinion should be directed to the practical consideration of the manner in which a Federal Union of the two countries may be carried out, and that, while we believe that this Association ought not to commit itself in the present state of the question to the details of any plan, we think it right to direct the attention of the public to the plan of such a Union proposed in the recent publication of Mr. Butt, as furnishing a proof that it is practicable to carry out such a Union in accordance with the general principles of the Association without interfering with the principles of the Constitution or the integrity of the Union of the countries."

# IRISH FEDERALISM.

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## CHAPTER I.

### THE QUESTION STATED.

I VENTURE in the following pages to submit to the people both of England and Ireland, a clear and distinct proposal for a new arrangement of the relations of the two countries, as a substitute for that entered into at the commencement of the present century.

I do so under a deep conviction that the time is come when it is essential to the interests of both countries that there should be a re-adjustment or modification of the Union arrangements. I believe that a very large proportion of the Irish people are willing to accept such a Federal Union between the countries as would give an Irish Parliament control over all the domestic affairs of Ireland, while an Imperial Parliament still preserved the unity and integrity of the United Kingdom as a great power among the nations of the world. The present state of feeling in Ireland offers to Irish patriots at least a hope of uniting all classes and creeds of Irishmen in a national effort to win self-government for their country. It offers to England an opportunity of conciliating the Irish people without making concessions

which would involve revolutionary changes or endanger the stability of the Empire. It may be that these hopes are to be disappointed. That opportunity may be neglected. If it be so, I will not, therefore, despair of the cause of Ireland or Ireland's nationality—a cause as indestructible as the mountains of her land, or as the ocean which surrounds it. But I am persuaded that never again will there be such an open for the peaceful solution of questions which will one day or other find their settlement, no matter by what means.

It is in the earnest hope that these pages may contribute something to effect a union of Irishmen in seeking for a moderate and peaceful settlement of our relations with England that I venture on a task from which every personal consideration would keep me aloof. In undertaking to sketch out the outline of a Federal Constitution between the two countries, I know well the difficulties that must be encountered. Experience has, even in my own case, abundantly verified to me the wisdom of Edmund Burke's warning against the rashness of those who propose legislative measures except from the seat of authority. It is difficult for any private individual to frame details which very often require information which unaided individual resources can rarely command. Upon such a question as that of the relations between England and Ireland, any person who proposes anything like a detailed settlement is sure to arouse prejudices and to offend crotchets; he exposes his plans to criticism which of necessity descends into cavils, and he runs the additional risk of wounding feelings of national honour and pride if he suggests a settlement which falls short of the expectation of those who have cherished—it may be exaggerated—notions of Ireland's position.

Nevertheless I believe it is essential to the cause of "Federalism" that some practical design of a Federal Constitution should be offered for the consideration of the public.

If I attempt to sketch that design, it is not from the vain imagination that I can offer it in the precise shape which it is likely ultimately to assume. The outline I suggest is intended rather as a framework for suggestion and deliberation than as a complete plan. With all the difficulties that attend such proposals, I am quite sure that there are many questions upon which it is of importance that some one should take the risk of placing before the public a distinct and definite proposal, so as to bring them from the range of mere speculative discussion into that of real and practical deliberation. The question of a Federal Constitution for Ireland is pre-eminently one of these. I do not hope or indeed desire that a universal acquiescence should be given to all the details of the proposals which I make, but I believe that I may do an essential service to the cause of Irish nationality by submitting a plan sufficiently detailed to be a practical one, and which may, at all events, accustom men to reflect and reason upon the principles which I attempt to embody in that plan.

It is in this spirit, and this spirit only, that I take on myself to present an outline of a Federal Constitution, which I believe would have a chance of securing the support of large classes of the Irish nation, and to which we can reasonably ask the assent of the English people. I cannot too distinctly say that for the proposals I make no one is responsible but myself. I should be very sorry to be supposed even to bind myself to them as the best that can be devised even for the immediate object which they have in view. If we can accomplish a peaceful settlement of the great international question between England and Ireland, room must be left for mutual concessions after consultation with many interests and deliberations upon many things. If the present opportunity for such an adjustment is let pass we may soon, in the rapid progress of modern events, be carried far beyond the reach of proposals like those which I now make.



Upon the general principles of a Federal Constitution I cannot do better than quote resolutions which three months ago were unanimously adopted at a meeting of gentlemen representing very different shades of political opinions. These resolutions have since been submitted to a large number of persons throughout the country, and it is not too much to say that they have received an amount of approval and adhesion from men of all creeds and classes, such as never was accorded to any proposal for securing home government. A large number of gentlemen (more I believe than 400), including landed proprietors and mercantile men of high standing—Protestant and Roman Catholic clergymen, and men of political opinions generally supposed to be irreconcilable, have formed themselves into a committee, hitherto a private one, of which they have declared the following to be the objects:—

“To obtain for our country the right and privilege of managing our own affairs, by a Parliament assembled in Ireland, composed of Her Majesty the Sovereign, or her successors, and the Lords and Commons of Ireland.

“To secure for that Parliament, under a Federal arrangement, the right of legislating for and regulating all matters relating to the internal affairs of Ireland, and control over Irish resources and revenues, subject to the obligation of contributing our just proportion of the Imperial expenditure.

“To leave to an Imperial Parliament the power of dealing with all questions affecting the Imperial Crown and Government, legislation regarding the Colonies and other dependencies of the Crown, the relations of the United Empire with foreign states, and all matters appertaining to the defence and the stability of the Empire at large.

“To attain such an adjustment of the relations between the two countries, without any interference with the prerogatives

of the Crown, or any disturbance of the principles of the constitution."

The committee which has adopted these resolutions includes within it a sufficient number of men representing various sections of political opinions to give fair ground for the belief that all classes of Irishmen are prepared to unite in a demand for a Federal arrangement, based upon the general principles contained in them—or, perhaps, to speak more accurately, that Irishmen generally would be willing to place their own peculiar views as to the future of their country in abeyance, in order honestly and fairly to try the great experiment involved in the proposal of such an arrangement.

Beyond these resolutions no one has authority to commit any of those who have concurred in them. I can only take on myself to suggest a plan by which I believe the spirit of these resolutions can be carried out, at least in all essential elements. It is one in which in substance I would counsel all who are sincerely desirous for the establishment of Irish nationality to ask the concurrence of all classes of their countrymen.

The arrangement proposed is, I have said, that which is popularly known as a Federal Union between the countries. It is not worth while to consider whether the word Federalism, in its proper sense, be the most appropriate term to express what is proposed. I will not even stop to inquire whether the Union I suggest belongs to that class of arrangements which Lord Brougham calls Federal Unions proper, or to those which he designates as improper or imperfect, or, as is more probable, is one partaking of the character of both. It is enough to say that I intend to propose a system under which England, Scotland, and Ireland, united as they are under one sovereign, should have a common executive and a common national council for all purposes necessary to constitute them, to other

nations, as one state, while each of them should have its own domestic administration and its own domestic Parliament for its internal affairs. I say each of them, because, although my immediate concern is only with Ireland, I do not suppose that if Irishmen obtain the separate management of Irish affairs it is at all likely that Englishmen or Scotchmen would consent to the management of their domestic concerns by a Parliament in which Irish members had still a voice. Whether England and Scotland would still desire to have the internal affairs of Great Britain managed by one common Parliament is a matter entirely for themselves to decide.

History, it need scarcely be said, records many instances of Federal Unions existing in all ages of the world. The principle has been at all times recognized by mankind that there may be countries so united by circumstances and position as to make it their common interest to be joined in one common state—yet so separate as to make it necessary for the domestic affairs of each of them to be managed by an administration of its own. Federalism is, indeed, only an application of the great principle of freedom which maintains local privileges against the despotism of central power. From the formation of the Achæan League to the incorporation of the North American Provinces into one dominion of Canada, the principle has forced itself upon nations. The Germanic Confederation, established at the Congress of Vienna, recognized it. For centuries each of the Swiss Cantons has preserved its perfect independence—while differing as they do in religion, in language, and in race, they have found unity and security in one general confederation, and one general diet of them all. The great confederation of the States of the Western Republic is only another illustration of the universality of the instinct which teaches men that nations as well as individuals may combine, and that there is no

inconsistency between the existence of a legislature regulating the internal affairs of each portion of the confederation and a central legislature, directing with efficiency and unity the combined power of all.

But, perhaps, the most remarkable tribute to the principle of Federalism is to be found in the course taken by the British Parliament in the year 1867, when it was thought wise to incorporate into one dominion all the North American provinces of the British Crown. Each of these provinces had its separate legislature and separate administration. When the English Parliament combined them into one dominion, each of them was left with that separate administration and separate legislature for its own domestic affairs. A common Parliament and a common Administration were provided for the concerns of the dominion. The contiguity of these provinces to each other necessitated some details which would be inapplicable to the case of England and Ireland. The control of railways was, for instance, reserved to the Parliament of the dominion lest a central State might interfere to prevent the best and most direct communication between its neighbours. There is no reason why Ireland should not have exclusive control over its own railway communication. A similar observation applies to the Post Office and to some other things. The insular situation of Ireland fits us for a larger share of government than may be given to a country separated from another by an imaginary line. The limits of the central and the local power must depend in each Federal Union upon the circumstances and position of the countries comprising it, and in no small degree upon their constitution. We have, at all events, the remarkable fact that when the North American provinces were united in 1867, this was done upon a Federal principle preserving for each province its distinct Parliament. Well would it be for both England and Ireland if the same



principle had been thought of when the attempt was made to make of England and Ireland one country instead of the natural and reasonable plan of uniting the two countries into one state.

It is obvious that in carrying out the plans of such a Federal arrangement, so far as Ireland is concerned, there are three general questions practically to be settled.

1st. What is to be the constitution of the Imperial Parliament?

2nd. What is to be the constitution of the Irish Parliament?

3rd. What are to be the functions and the powers of each?

Before proceeding to offer suggestions upon each of these questions there are subjects to which it is necessary briefly to refer.

This tract is not intended as a general discussion of the question of the maintenance of the Union in its present form. It is designed rather to show by practical suggestions how that Union may be safely modified than to argue a question upon which the minds of the great majority of Irishmen are made up. It were easy to show that the necessity of a re-adjustment of the Union arrangements rests upon the plainest practical grounds. The attempt made by the Union to give Parliamentary government to Ireland, through the medium of the English Parliament, increased by the addition of some Irish representatives, has wholly failed. It has failed in producing the results which were sought for by its promoters. It has failed in giving consolidation and security to the Empire at large. The chief argument used by Mr. Pitt in favour of the Union was that the French descent upon Ireland proved that Ireland was the vulnerable part of the Empire. If England were driven or drawn into war to-morrow, Ireland would present a far stronger temptation to an invader than it did in 1798. It has failed in bringing about any identity of interest or feeling between the two countries. There never was a period in the



history of Ireland when there was greater dissatisfaction with English rule. No Irishman need be told that it has failed in giving to Ireland either prosperity or peace. At the end of seventy years of Union we are the most discontented, the most distracted, and, with all our great advantages, the poorest country in Europe.

There is, indeed, another view, and one by no means to be disregarded, in which every year's legislation may be considered as an authoritative declaration by the Imperial Parliament that the arrangement made at the Union has broken down. By the Act of Union restrictions were placed upon the future action of the Imperial Parliament by imposing on it obligations which were termed essential and fundamental conditions of the Union. It can scarcely be denied that this arrangement no longer exists. In many of their most essential provisions the articles of Union have been deliberately and intentionally violated. This in itself amounts to a clear and distinct confession that the arrangement contemplated in those articles cannot, at least in its integrity, be maintained. No one can read the Act of Union without seeing that the system established by it was that of governing by a common Parliament—but a common Parliament restricted and bound by treaty obligations with the extinct Irish Parliament. It is useless to inquire how far such a system could possibly be expected to last. It is enough to say that we are not now living under it. The lapse of time, the inevitable demands of legislation, the inexorable logic of events, have displaced the fiction of a treaty to be maintained as binding a supreme legislature while there was no other party either to enforce or to release it. The mere course of years as it carried us further from the period of the Union, drifted us into a system in which we are ruled by an Imperial Parliament practically unbound by any of the treaty stipulations of the Union. It may be a better or a worse

form of Parliamentary Constitution, but it certainly is not that which was separately enacted by each of the Parliaments of England and Ireland in their statutes, in which they attempted to bind by articles the United Parliament into which they merged. The Imperial Parliament has been compelled to abandon the arrangements of the Union, at least so far as they imposed restrictions on its acts, and to legislate for us upon principles entirely and essentially distinct. We are not now governed by a Parliament administering a treaty of Union, but by a supreme Parliament claiming and exercising the supreme control and absolute power of legislation, exactly as if Ireland and England had always been one country, as if an Irish Parliament had never existed, and a treaty of Union never had been made. This is a form of government of Ireland which never was agreed to by an Irish Parliament, and one to which, in all probability, the assent of an Irish Parliament never could have been obtained.

It may, perhaps, be said by some that, in view of the events which are now agitating Europe, this is not the time for the discussion of a re-adjustment of the internal arrangements of the United Kingdom. In a subsequent page I will have something to say of the bearing of these European events upon the Irish question. Let me now say, once for all, that he can have a very inadequate perception either of the magnitude or the pressing nature of that Irish question, who could see a reason for its postponement in the possibility that complications may arise which may involve England in the incalculable troubles and unseen perils of a general European war. If there be any real danger of this in the aspect of European affairs—this is the very strongest reason why we should at once take steps to avert from the Empire the serious and more pressing danger which menaces her at home. Ireland is now the weakness of England. While our present relations last she will continue to be so. This

proposal for the concession of a Federal Parliament has not originated in the conflict which is now disturbing Europe. These pages would have been written and published if that conflict had never taken place. But the signs which are darkening the aspect of Europe, so far from supplying any reason for not pressing this subject upon the attention of both countries, only make its settlement the more urgent. I am persuaded in my conscience that if troublous times are near us, the dearest interests of every Irishman—aye, and every Englishman—demand that Ireland, in passing through them, should have the control, the guidance, and the protection which can come only from a national Parliament possessing the confidence, and identified with the interests, of the Irish people.

To those who have read ever so superficially the history of the Union between England and Ireland, it will not fail to suggest itself that the arrangement which it is sought to alter was carried into effect at a time when England had actually entered on the greatest war which, up to that time, the world had ever seen. The years 1799 and 1800 were probably among the most anxious and arduous of the great struggle with revolutionary France. The despatches of Lord Castlereagh and the English ministers on the subject of the proposal for the Union, and its reception in Ireland, are strangely intermingled with lamentations on the reverses of England's allies, and the successes of the French arms. The negotiations for the purchase of the Irish Parliament went on simultaneously with the wars of Tippoo Sultan in India, the battles of Napoleon in Egypt, his passage of the Alps, his triumphs in Italy, and his assumption of the government of France. The victory of Marengo and the passing of the Act of Union in the English Parliament were events of the same month. It were too long to record all the events of peril and anxiety to England which crowded into the two

years of the effort to carry the Union. The exigencies of the situation compelled Mr. Pitt, amid all the distractions of England's position, to turn his attention to the relations of the two countries, the state of which he thought caused weakness to the Empire in the struggle in which Britain was then engaged. A far stronger necessity must now force every enlightened English statesman earnestly to desire a re-adjustment which may avert greater and more pressing dangers. The Union was carried into effect to consolidate the power of the Empire when England was engaged in the great effort of the revolutionary war. In the events which now threaten the peace of Europe, and of the world, it is only by a revision of that Union that the same end can be attained.

It is, after all, in periods of great national emergencies that the minds of men are roused to achieve great results. It was amid the troubles and perplexities which followed the campaign of Sadowa, that Austrian statesmen rose to the necessity of giving to Hungary the free constitution which has made that country the strength, instead of the weakness, of the Austrian Confederation. English statesmen would do well to profit by the lesson before a war overtakes them, with Ireland still the weakness of the British state.



## CHAPTER II.

### THE IRISH PARLIAMENT BEFORE THE UNION.

BEFORE entering on the discussion of the questions stated in the last chapter it will not be without its use to take a brief view of the constitution and powers of the Irish Parliament before the Union.

It is of some importance that we should have a clear conception of the powers which the Irish Parliament exercised in the days of its independence after 1782. It is of importance not only in guiding us as to the position which we may fairly claim for our country under a Federal Constitution, but also in enabling us to judge between the advantages of a Federal arrangement and a simple repeal of the Act of Union, sending us back to the state of things which existed immediately before its passing. Certain it is that in some of the discussions which have appeared in the public journals on this subject, there seems to be a very great misapprehension, even in the minds of able and well-informed persons, of the place which Ireland occupied in the old imperial confederacy—for confederacy it was. The relation between England and Ireland before the Union is indeed noticed by Lord Brougham as one of the instances of the improper or imperfect Federal Union.

It need scarcely be said that the Parliament of Ireland consisted of the Sovereign, a House of Lords, and a House of Commons. The House of Lords, at the time of the Union, consisted of twenty-two spiritual peers, the Protestant prelates of Ireland—and 228 temporal peers. Of these latter, many were wholly unconnected with Ireland by birth, connexion, property, or residence. The King very frequently bestowed an Irish peerage, for naval or military services, when he desired to confer rank and title without giving the political privilege of a seat in the British House of Lords. Clive, on his first return from India, had his services recognized by an Irish peerage. To the same source may be traced the peerages represented by the titles of Hotham and Hood. Other Irish peerages were given for less creditable services. History does not record the name of the English gentleman on whom George III. conferred such a peerage as a compromise of his request for a private key of St. James's Park. It is certain, however, that a large number of Irish peerages had been created for reasons just as remote from any connexion with Ireland. It may well be believed that Irish peers who owed their creation to a wish to confer on them an honorary title, took but little interest in the political privileges which that title brought with it. There were many Irish peers who had never taken their seat in the Irish House of Lords. Even of the peers connected with Ireland, the general attendance was not large, and the assemblage in the "Hereditary Chamber" often consisted, in its larger proportion, of the bishops, and the judges who had been elevated to the peerage.

The House of Commons consisted of 300 members, 64 of whom were returned by the counties, two by the University, and 62 by the cities and towns possessing an open franchise and an election more or less popular in its form. No less than 172 members were returned by close boroughs

in which the nomination rested with a patron or the Crown. Only 128 out of the 300 owed their return to the semblance of popular choice.

Looking to this constitution of the Irish House of Commons, the real cause of wonder is that it so often and so successfully asserted the principles of liberty against the power of the English Crown.

In estimating the Parliamentary history of Ireland it must be remembered that it is to the revolution of 1688 that we must look for the establishment in England of many of the great principles of Parliamentary government which really give the House of Commons its controlling power in the administration of the State. The invitation to William and his wife to assume the Crown was accompanied or followed by an assertion of these principles, and public liberty was protected by statutes intended to guard the public freedom against any possible abuse of the prerogative, indeed to make it impossible for any exercise of the prerogative to carry on the government against the wishes of Parliament and the people. When we bear in mind the difference in the circumstances which surrounded that revolution in England and Ireland, we cannot be surprised that in this country it was attended by no similar assertion of popular right. None of those revolution statutes, which were considered bulwarks of public liberty, are to be found copied into the Irish statute book. None of the practices on the recognition of which the English House of Commons insisted were established in the conduct of Irish business. Ireland never had her bill of rights. It is only in our own day that the law of high treason has been assimilated in the two countries by an extension to Ireland of the statutes of William and Mary. The Parliamentary business of Ireland continued for nearly a century to be conducted according to the principles and precedents of the Stuarts. At the period of the revolution the duration of

English Parliament terminated only by a dissolution or by the demise of the Crown. One of the first acts of the revolution was to limit its duration to three years. No corresponding statute was passed in Ireland until 1767, when the country party in the Irish Parliament succeeded in limiting it to eight years.\* The Mutiny Bill was an invention of the early years of William III., and with it arose the annual assertion of the principle that it is unlawful to maintain a standing army in time of peace without the consent of Parliament.† In Ireland matters went on as they had done in England in the days of the Stuarts, without either Mutiny Bill or assent of

\* In the interim a statute of Anne had extended the duration of the English Parliament to seven years. The bill as sent over by the Irish Parliament adopted the same limit. The English Privy Council changed the period to eight years, in the belief that the Irish Parliament would reject it in the assertion of a claim of privilege which denied to the English Privy Council the power of altering any bill, contending that their only power was that of assent or rejection. The Irish Parliament waived the question of privilege, and accepted the amended bill.

† It is a common mistake, but it is a mistake, to suppose that the Mutiny Act is essential to the embodiment of an army. In time of peace the assent of Parliament is so. But so far as the House of Commons is concerned, that assent is given by resolution before the Mutiny Act is brought in. The object of the Mutiny Act is to establish a code of military discipline, and authorize courts-martial to try and punish offences against that code. The first Mutiny Act was passed in 1689, in order to supply prompt means of suppressing a mutiny which broke out at Ipswich, in some regiments of William's army, on their way to Holland. It was literally a Coercion Act for the army, and was at first enacted only for six months. It was found such a convenient instrument for the maintenance of discipline that it has ever since been kept alive by continual re-enactment with the exception of two or three years of William's reign in which no Mutiny Act was in force. It is now passed every year, whether in times of peace or war. It asserts every year the principle, which was affirmed in the bill of rights, that a standing army in time of peace cannot be maintained without the assent of Parliament, and it recites the assent of Parliament to the maintenance of the force.



Parliament to the existence of a standing army in time of peace.\* It was only after the accession of William that, even in England, the present system of voting the supplies upon estimates, and appropriating the grants to particular purposes began really to be in force. It was several years later that it was perfectly established.

These and many other constitutional principles and practices established in England when public liberty had been vindicated by the expulsion of James, were never thought of in Ireland where that revolution assumed the form of conquest, until a greater revolution awoke the spirit of public liberty in the Irish mind. Their introduction, however, was gradual and slow, and many of them had not assumed their perfect form, or received their complete development at the disastrous period when the independence of Ireland was stricken down. But apart from these considerations which account for many supposed deficiencies in the Irish Parliamentary system—in estimating the powers which were vested in the Irish Parliament there are other real and substantial causes of inferiority to be borne in mind.

At no period of its connexion with England was Ireland

\* Up to 1779 the interference of the Irish Parliament with the army had been limited to acts regulating the billeting of soldiers and imposing penalties on any of them who did mischief while they were on march. No question appears to have been raised as to the legality of punishing them by courts-martial. It may have been done under the assumed authority of the English Mutiny Act, or of a statute passed by the English Parliament providing an Irish military establishment in the reign of William III., or very probably, as was attempted in England before the Revolution, under a prerogative taken for granted in the Crown. In 1779 an Act was passed by the Irish Parliament which was a Mutiny Act enacting a code of army discipline, and authorizing courts-martial. It was a perpetual one, and contained no assertion of the necessity of the assent of Parliament to the maintenance of an army in the time of peace. It was almost immediately repealed, and from 1782 to the Union an Irish Mutiny Act was annually passed with the same provisions and the same recitals as the English.

an independent state, that is a nation with a separate and independent sovereignty of his own. The union of Scotland and England, like that of Austria and Hungary, was the union of two independent crowns devolving by the accident of descent upon the same individual—capable of being separated (as the crowns of Hanover and England recently were) by a difference in the laws of the two countries. The connexion of England and Ireland was of a very different character. Ireland was always admitted to be one of the dominions of the British Crown; no declaration of Irish independence ever disputed this principle. Whatever rights “the land” or “the realm” of Ireland possessed it was inseparably united to the Imperial Crown of England.

Up to the reign of Henry VIII., the King of England was Lord of Ireland in right of his English Crown. In the reign of that monarch, by a statute passed in the year 1542, the English monarch was declared to be King of Ireland. The title of king was substituted for that of lord, and the “land” of Ireland became “the realm,” but the dignity of King of Ireland was declared to be united and bound to the Imperial Crown of the realm of England. The most ardent advocate of Irish nationality never disputed this. No one ever claimed for an Irish Parliament a right to dispose of the Irish Crown. When in 1692 the Irish Parliament recognized the sovereignty of William and Mary, their recognition was carefully rested on the fact that the Kingdom of Ireland “was annexed and united to the Imperial Crown of England,” and was “depending upon and belonging and for ever united to the same.” This inseparable dependence of the Crown of Ireland upon that of England was generally expressed by the maxim that “whoever was King *de facto* in England, was King *de jure* in Ireland.”\* At all events, whatever authority could rightfully

\* This principle was not disputed in the Regency debates of 1789. The English Parliament, in the first incapacity of George III., proceeded to

dispose of the English Crown disposed at the same time of its Irish appendage. When the English Parliament in 1702, by the Act of Settlement excluded from the succession to the Crown the elder branches of the line of Charles I., and settled the Crown upon the descendants of the Princess Sophia, no corresponding statute was passed by the Irish Parliament. The Irish Parliament in this instance, as in that of William and Mary, distinctly recognized the right of English authority to dispose of the Irish Crown. A statute was passed reciting the English Act of Succession, and visiting with the penalties of high treason any one who opposed the succession as directed by that Act. Another statute prescribed the oath of abjuration, binding those who took it to defend the succession as limited by the English statute. But neither of these Irish Statutes attempted to confirm the English Act, which

confer the Regency upon the Prince of Wales, with limited powers. The Irish Parliament adopted the course for which Mr. Fox and the Opposition contended in the English House of Commons, and proceeded to call on him, by address, to assume all the powers of the Crown.

But in all these debates the principle of the inseparability of the Crown of Ireland from that of England could not be, and never was denied. The leaders of the Irish Parliament thought that a Regency was a matter which derived its authority from Parliament, and was, therefore, within the province of the Parliament of either country. The dispute was happily ended by the recovery of the King. But those who will think it worth while to study the Regency debates of the Irish House of Commons, will not fail to see that there were elements of action and principles unsettled, which, at all events, tended to endanger the connexion of the countries under one crown. It was this Regency dispute which first suggested the Union. It was, at all events, made one of its pretexts. So strongly was this felt by the patriot party that, before the Union, a bill was brought in by them to enact that whoever was Regent *de facto* in England, should be Regent *de jure* in Ireland. Lord Castlereagh and the Government opposed it.

In the repeal discussions of 1843 Mr. O'Connell answered an objection, drawn from the Regency dispute, by suggesting that such an enactment could easily be passed.

was treated as settling, by its own authority, the succession to the Irish as well as the English Crown. It was admitted that the English Parliament had the right to dispose of the Crown of England, and in exercising that right they disposed, of necessity, of the Irish Crown.

The title of our gracious Sovereign rests, as did that of her ancestor George III., on an English Act of Parliament excluding the legitimate heirs of the Stuarts, and calling the House of Hanover to the English throne. If an Irish Act of Parliament were necessary to confirm that exclusion, it might be contended that, notwithstanding the implied recognition by the Irish Legislature of the English Statute, the Ex-Duke of Modena would be now the rightful Sovereign of Ireland.\* Her Majesty's right to reign over us is undoubted, because

\* Although foreign to the purposes of this tract, I am unwilling to allow this allusion to a matter, which is happily only one of historical research, to pass without explanation.

Upon the death of the Cardinal of York, the grandson of James II., in 1807, the male line of descent from Charles I. became extinct. The only representative of Charles I. was the King of Sardinia, who was descended from Henrietta, Duchess of Orleans, the only daughter of Charles I.

But for the acts of exclusion and settlement he would have been beyond all question the legitimate heir to the throne of England. But the act of settlement excluded the descendants of Charles I., who were clearly next in succession, and transferred the crown to the collateral branch of the Royal Family who were descended from the Princess Sophia, the only daughter of Elizabeth, Queen of Bohemia, the daughter of James I.

In 1830, Charles Felix, King of Sardinia, died, leaving four daughters. The Salic Law regulated the succession to his crown, and it passed to a distant relative, the Prince of Carrignan. The heirship of the Stuarts devolved upon his eldest daughter, who married the Duke of Modena, after her death upon her son. Strange that the ill-fortunes of the Stuarts appeared to pursue their last representative, and the Ex-Duke is excluded by a popular revolution from two far distant sovereignties to which he is the legitimate heir.

The curious in such matters will find the whole pedigree of Charles Felix in a tract on the "German Empire," published in the second volume



the Crown of Ireland was inseparably appended to that Imperial Crown of England, which undoubtedly devolved on her by virtue of an English Act of Parliament settling the succession to the English Crown.

The results of this dependence carried with them consequences of far more importance than a mere point of national honour. The power of making peace and war belonged to the Imperial Crown of England—so did the power of sending ambassadors to foreign states—of making treaties with foreign countries. To the same crown belonged exclusively the right of acquiring dominions and dependencies. All the colonies of the empire were the colonies of England. Ireland could neither declare war or make peace—Ireland had no ambassadors, and no colonies. The army and the navy were the army and the navy of the English Crown. In all these matters the King of England acted with the advice of the English Privy Council, and through ministers responsible only to the English Parliament.

That such were the constitutional relations of the two countries, no Irish jurist or patriot ever denied. But, as a consequence of this dependence of the Irish Crown the English Parliament further claimed the power of binding Ireland by English statutes, as beyond all question they had a right to pass laws for Canada and Jamaica and the other dominions of the English Crown. This was the great constitutional question

of Charles Butler's Works, Note 7, page 23 ; (see also "History of Italy," by Isaac Butt, Vol. ii., page 375.)

The clearest illustration of the position of Ireland before the Union is found in the fact that no one ever ventured to say, or could say, that the assent of the Irish Parliament was constitutionally necessary to give validity to the alteration in the descent of the Irish Crown.

It is, perhaps, a small matter to observe, but no one ever thought of a separate coronation of the sovereign of Ireland. The demand of such a separate coronation was one of the most prized requirements of Hungarian nationality.

which was so long agitated between the two countries, and which was finally set at rest in 1782. It is not necessary to refer to the history of a struggle with which every Irishman ought to be familiar. Enough to say that the English Parliament finally renounced the claim of making laws for Ireland, and in the eighteen years which intervened between 1782 and 1800 no law had any force in this country except that which received the sanction of the Irish Parliament.

The English Parliament had in fact attempted very little interference with the internal affairs of Ireland. All the statutes that moulded and constituted the criminal and civil laws of the country were either Acts of the Irish Parliament or English statutes adopted in Ireland by an Irish Act. Some statutes of the reign of William III., imposing oaths to be taken in Ireland, and one or two Acts of the reign of Anne disposing of forfeited estates, and making provisions against Popery—very superfluous enactments in the face of the laws enacted by the Irish Parliament itself—were almost the only interference in the internal administration of Irish affairs. The real and great usurpations of the English Parliament were commercial ones. They were chiefly directed against Irish manufactures, especially the woollen. Acts were passed by the English Parliament prohibiting the export of Irish manufactures from Irish ports. These Acts were plainly violations of Ireland's Parliamentary independence. So were the Acts which attempted beyond the limits of the British dominions to restrict the operations of Irish trade. It was against these that the Volunteers asserted their independence, and the practical boon that was won for the Irish nation was the right of the Parliament of Ireland to control our own harbours and to regulate our own trade.

Of course the trade of Ireland was subject to the interference which England could exercise by her dominion over the colonies and dependencies of the Imperial Crown. A law

which would have prohibited the exportation of Irish goods either to England or France or Canada would have been beyond the power of the English Parliament to pass; but it was perfectly competent to that Parliament to prohibit the importation of those goods into England or Canada just in the same manner as the French Government might have prohibited their importation into France. The English Parliament was the supreme legislature for England and the Colonies, and had just the same power of legislating against the importation of Irish products as they would have had against those of Holland or of France.

Thus stood the Irish Parliament in constitutional position from 1782 until its dissolution. It had full and entire control over everything Irish, where it belonged to Parliament to control. The Irish House of Commons were absolute masters of Irish taxation. Not a penny could be raised from Ireland without their consent; but, on the other hand, in all the external affairs of the Empire, Ireland had no voice. The King of England declared war and made peace by proclamations framed in his English Privy Council, and by its advice. Treaties with foreign powers were made by English ministers, and could only require the sanction of the Irish Parliament if they contained stipulations which might affect Irish trade. Over India and the Colonies, the English Parliament exercised supreme and exclusive control. All those which we now term Imperial affairs were entirely under the direction of the English Ministry and Parliament. When the King of England declared war Ireland also was at war. Any Irishman aiding the enemy was guilty of high treason. English fleets and armies could occupy the havens and the towns of Ireland. The only control, if it can be called control, which Ireland could exercise would have been by refusing to contribute any share of the expenses of the armaments of the war—armaments that might be, that most

probably would be, necessary for her own defence against the foe.

There were other restrictions upon the independent action of the Irish Parliament to which it is necessary to refer. So long ago as the reign of Henry VII., an Act was passed, not by the English, but by the Irish Parliament, prohibiting the passing of any Bills in Ireland unless their heads had been previously approved of by the English Privy Council, and certified under the Great Seal of England. Strange as it may appear, it seems certain that this statute was passed as a measure of protection to the inhabitants of the Pale against hasty and violent legislation at the instance of the deputies. In process of time it obviously became the instrument of transferring the real power of Irish Legislation to the English Privy Council, reducing the Irish Parliament to be little more than the registering chamber of its decrees.

In 1782 this restriction was removed, so far as it prevented the origination and passing Bills in either House of the Irish Parliament, but the provision was left untouched which required all Irish Bills to be submitted to the English Privy Council, and to be returned under the Great Seal of England before they finally became law.\* The power of the English Privy Council was not regarded as a mere speculative or theoretical one. It was looked to as a practical check upon

\* In 1782, when Mr. Yelverton introduced the Bill for the modifications of Poyning's law, Mr. Flood moved an amendment for its total repeal. This was opposed by Mr. Yelverton and others, on the ground that the English Government and nation would regard the power of veto in the English Privy Council as a provision essential to the connexion between the countries.

In the debates on the Regency Bill it was urged by the Attorney-General that under this arrangement the assent to Acts in the Irish Parliament was given not by the Irish but by the English Crown. Mr. Grattan corrected this by pointing out that although an assent under the Great Seal of England was made by an Irish Act of Parliament an indispensable requisite to Irish legislation, the Act only became law when after



Irish legislation. It is said—it is to be hoped not truly—that in 1792 the unanimity of the Irish House of Commons in favour of the Catholic Relief Bill was produced by the belief universally entertained that the English Privy Council would refuse their assent, and that the English ministry returned it in spite to punish the Irish Parliament for attempting to acquire a character for liberality at their expense. The story has probably as much foundation as most stories of the kind, but its currency is sufficient to prove the opinions entertained of the reality of the veto.

This sketch of the position of the Irish Parliament in the days of independence would be incomplete without adverting to the matters in which they had succeeded in asserting their constitutional control. They had established, very nearly in its perfect form, their right to control the appropriation of the Irish supplies, and they had extorted from the Crown the admission that in time of peace a standing army could not be legally maintained in Ireland without the consent of the Irish Parliament. After 1782 the declaration of this principle was each year inserted in the annual Mutiny Bills, which had taken the place of the perpetual Mutiny Bill, in which, in 1779, the Irish Parliament first ventured to assert its right to meddle with the army at all.

The true position of Ireland in the old Imperial Constitution must never be forgotten when we come to estimate the advantages or disadvantages of a Federal Union with the Imperial Crown.

its return so approved of, the Lord Lieutenant communicated the assent of the Crown of Ireland in the Irish House of Lords.

The answer was right in constitutional principle upon the point for which Mr. Grattan was contending, but the fact was that during the years of the independence an assent of the English Sovereign, with the advice of the English Privy Council, under the Great Seal of England, was required before any Act of the Irish Parliament became law.

No one except Mr. Flood proposed to abrogate this controlling power exercised by the English Privy Council over Irish legislation

## CHAPTER III.

### CONSTITUTION AND POWERS OF THE IMPERIAL PARLIAMENT.

THOSE who propose a Federal Constitution for the two countries ought to avoid the suggestion of any change in the order of things which is not necessary for the purpose they desire to effect.

There seems to be no necessity for any change in the Constitution of the Imperial Parliament. It may be that changes in the mode in which that Parliament is elected might be advantageous or desirable. Many persons contend with truth and justice that Ireland is not adequately represented. There is a very large class of persons who are anxious to see the colonies represented in the great council of the empire, and who regard with favour the proposal of a Federal arrangement between the portions of the United Kingdom, because it seems to offer an opportunity for providing for such representation. But if we have a hope of carrying a proposal of self-government for Ireland, common sense suggests that we ought not to embarrass that proposal with any suggestions of unnecessary and questionable change. I propose to leave the Imperial Parliament exactly as it is. If any changes are to be made in its constitution they ought to be made not as any part of a Federal arrangement, but in the ordinary course of the exercise of the powers of the Imperial Parliament itself.

I propose, then, that the Imperial Parliament, composed as it is now of English, Scotch, and Irish representatives, should have the full control over all legislation affecting the Crown of the United Kingdom or the administration of the Royal power. It ought also to have the same power which it has now of legislation over India and the colonies, and over British subjects in foreign countries. In all these matters the powers which it now exercises would be untouched.

In all matters of this nature a Federal arrangement would be a clear gain to Ireland. Before the Union they were disposed of by an English Parliament, in which Ireland was unrepresented. The reservation of such matters to an Imperial Parliament would, in fact, be a concession to Ireland.

In matters of peace and war Parliament has, by the Constitution, no direct control. The Sovereign makes war and peace by the advice, theoretically, of the Privy Council, really by the advice of a Select Committee of Privy Councillors called the Cabinet, a body unrecognized by the Constitution and the law, and who, in advising the Sovereign, act, so far as responsibility is concerned, not as members of the Cabinet but as Privy Councillors.

But at all times of the English Constitution the principle was recognized that the Sovereign, in the great matters affecting the well-being of the realm, was bound to seek the advice of the Parliament or great Council of the nation. This duty of the Sovereign was wholly independent of the control which in modern times is exercised by the power which Parliament has over the supplies. It came down from the traditions of Saxon, and was sanctioned by the usages of feudal times. The advice of Parliament was tendered more freely in the days of the Plantagenets than it is now. As the prerogative of the Sovereign in choosing his own ministers has been curtailed, and Cabinets have become the creatures of

Parliamentary majorities, Parliaments have felt it less necessary to interfere by way of advice. Queen Elizabeth heard sometimes with an anger which she did not conceal, remonstrances which would not be addressed to Queen Victoria; and even William III. was obliged to listen to lectures from his Parliament disapproving of the foreign policy which he showed a disposition to adopt.

The Imperial Parliament ought plainly to be the great Council of the Empire, with which should rest the constitutional right of advising the Sovereign on all questions of peace and war, and of the foreign relations of the country. It ought also to possess, in relation to these matters, the constitutional checks which in practice Parliament possesses over the Crown. There should be an Imperial Ministry responsible to the Imperial Parliament, and that Parliament should have the power of controlling the expenditure and supplies for Imperial purposes.

The Imperial Crown would still require its great officers of state; Secretaries for War, for India, for the Colonies, and for Foreign Affairs, would all belong to the Imperial administration; to them should be added a Chancellor to hold the great seal of the United Kingdom, and a Home Secretary to manage the communications between the central authority and the national administrations. A Treasurer and Chancellor of the Exchequer would still be needed to control the Imperial finances. Of these great officers a Cabinet might be formed to advise the Sovereign in all Imperial affairs. For their acts in that capacity these ministers should be responsible to the Imperial Parliament alone. The Federal Constitution should in like manner recognize an Imperial Privy Council by whose advice the Sovereign should act in all Imperial affairs.

It follows, of necessity, from the very nature of a Federal Union, that we must leave to the Imperial Parliament the



determination and the provision of the means requisite for Imperial defence. It would be for that Parliament to vote the men for the Imperial army and navy—at least so far as they were requisite for the defence of the Empire at large. There could be nothing to prevent the National Parliament of either country from providing, on the requisition of the Ministers of the Crown, a separate force, either naval or military, out of its own resources. But to the Imperial Parliament we must confide the power which it has now of providing the naval and military armaments which, either in peace or war, it might consider necessary for the defence of the Empire. The power of voting the armaments would place in the hands of the Imperial Parliament the check upon the prerogative of the Sovereign in making peace or war. This power it would be which would still make the representations of the Imperial Parliament really binding on the Sovereign and his advisers. Over all such questions the Imperial Parliament would exercise exactly the same influence that it does now.

The question of the Imperial armaments involves the further question—how are the armaments voted by the Imperial Parliament to be provided? This might be done in one of two ways, either by empowering the Imperial Parliament to levy a general Imperial tax for that purpose, or to oblige each part of the United Kingdom to find from its own resources its fixed quota of the army and navy required.

In many respects the latter would have great advantages. But, for the unity and power of the Empire, it would be far better to give to the Imperial Parliament the power not only of voting the armaments, but also of raising the necessary supplies. This involves the general question of taxation, upon which it is necessary to say a few words.

There is a large proportion of the Imperial expenditure to which Ireland would be bound to contribute. To the interest

on the national debt we must in any event contribute our share. Of the civil list provided for the Sovereign we are equally bound to find a part. If we are admitted to a share in the Parliamentary control of the colonies and dependencies of the Imperial Crown, we must contribute our share to the expenditure they may entail; and if we have a voice in the foreign relations of the Empire, we can scarcely refuse to bear our part of the cost of maintaining them.

The Imperial expenditure may properly be said to consist,  
1st. Of the interest on the national debt.

2nd. The civil list of the Crown.

3rd. The expenses of the army and navy.

4th. The expenses of foreign ambassadors and colonial establishments.

These are the expenses to which Ireland would be bound, under a Federal arrangement, to contribute.

The expenditure of the public revenue of Great Britain must be divided into two distinct and separate classes, to which very different considerations must be applied.

There is one portion of it which is disbursed each year by an annual grant from Parliament, to provide which the House of Commons is supposed to vote taxes each year.

But there is another portion of it which is paid by the Treasury wholly independent of Parliament, and for which funds are provided wholly independent of any vote of the House of Commons.

Simple as this matter is to those acquainted with the machinery of British national finance, it is very little understood. A very few words will make it plain.

At the commencement of every session of Parliament ministers lay before the House of Commons detailed estimates of all the expenses for which they intend to ask provision for the service of the year. These estimates are gone through in detail, and such of them as the House thinks fit to grant are

formally voted, either to the amount asked for or to any lesser amount which the House may think fit. At the end of each session an Act is passed, called the Appropriation Act, embodying all the sums which have been so voted during the session, and authorizing their payment by the Treasury, and their application to the purposes for which they have been voted. This Act of Parliament is the only real legal authority for this payment, but so completely established is the control of the House of Commons over the finances of the nation that payments are invariably made on account of each vote as soon as it has received the sanction of the House of Commons.

All this expenditure is, of course, under the absolute control of Parliament. It rests each year in the determination of the House of Commons whether it shall be made. This includes the cost of the army and navy, most official salaries, and a considerable proportion of the ordinary expenses of carrying on public affairs.

But there is in addition to this, a very large amount of public expenditure for which no estimate is presented—which requires no vote of the House of Commons for its payment, and which is met by the Treasury without any reference to the proceedings of Parliament, or even to the question whether there is a Parliament in existence at all.

This consists of the interest of the national debt—the civil list provided at the beginning of the reign for the support of the dignity of the Crown—the salaries of the judges of the courts of law and equity—the salaries of the foreign ambassadors—some pensions to various persons—and some other expenses which it is useless to detail. All this expenditure has been removed from the control of the House of Commons. It is provided for by permanent statutes, which cannot be repealed except by an Act passing the Lords, and receiving the royal assent. These permanent Acts impose

upon the managers of the Treasury the obligations of paying these charges as they arise—and they are all so paid, many of them under statutes passed very many years ago.

This will be perfectly understood by an illustration taken from the finance accounts of the year ending the 31st of March, 1868.

In that year the entire payments out of the revenues of the country amounted, in round numbers, to seventy-two millions. Of this sum about forty-two millions were paid by authority of votes of the House of Commons adopted in that year, and embodied in the Appropriation Act passed at the end of it.

The remaining thirty millions were paid out of the Treasury under the authority of permanent Acts of Parliament, which oblige the persons having the control of the Treasury to pay certain sums without any reference to any vote of the House of Commons at all—Acts which are, of course, the law of the land, and which, as I have said, cannot be altered except by a statute passed by the two Houses of Parliament, and assented to by the Queen.

But not only are these payments made without any intervention or control of Parliament, but funds are found to provide for them in a manner equally exempt from any interference or control. A very large proportion of the taxation of the country is levied under permanent statutes, and goes on without any reference to Parliament at all. Formerly the House of Commons had a great jealousy of granting permanent taxes, and they were strictly limited to the amount which was necessary to meet the permanent charges. But this jealousy, like many other of the sensitive feelings by which popular liberty used to be protected has disappeared. Taxes to a large amount, which used to be annually voted, have been granted either in perpetuity or for long terms of years. Not many years ago the House of Commons gave up,



in a permanent Act of Parliament, its annual control over the sugar duties, to avoid the inconvenience of an annual discussion on their nature and amount. In the year I have selected as an illustration, the amount received from permanent taxation far exceeded the amount paid out to meet permanent charges. If I am not mistaken, the income tax and the tea duties are the only considerable branches of revenue the continuance of which now depends upon the vote of the House of Commons.

The effect of this is that there is a large portion of the revenue of the United Kingdom placed entirely beyond the control of Parliament—it is levied by law and paid away by law. Of course there is a sense in which it is under the control of Parliament, as the property and liberty of every man in the country is under that control. A new Act of Parliament might change the existing law, but until that law is changed the receipts and payments go on wholly irrespective of existing Parliaments. If the Queen had thought fit not to convene a Parliament in the year 1867, or if the House of Commons had thought fit not to grant the supplies, thirty millions of money would have been paid into the Exchequer and paid out again, exactly as it was paid in and paid out.

Indeed a far larger sum would have been paid into the Exchequer, although if the law was observed, it must have lain there for want of any legal authority for paying it out.

Of the expenditure, to which Ireland is bound to contribute, a portion is regulated by those permanent statutes, and provided for by permanent taxation, which is levied at this moment in Ireland as well as England.

I am already transgressing the limits of a tract like this. It would far exceed these limits to enter on an analysis of the permanent taxation to which Ireland is subject for permanent charges upon the revenue. It is enough to say that it appears

to me that as to these charges the principle upon which they ought to be dealt with is plain.

A careful examination should be made of their nature. Many of them, as for instance the salaries of the English judges, belong properly to the English expenditure; others, like the salaries of Irish judges, to Irish. Of the national debt, a large proportion has been incurred for English purposes, and with this Ireland cannot properly be charged. When the account is so taken as to exhibit the permanent charge to which Ireland is bound to contribute, the right course would be that this charge should be provided for by some permanent tax, never to be remitted except by the authority of the Imperial Parliament.

I would prefer that it should be provided for by Imperial taxes, levied equitably through the United Kingdom. Taxes might be selected, the pressure of which would be proportioned to the wealth of the country. This would be the case with a property tax. It is not so with an income tax. An income tax presses most unjustly upon a poor country. It is, I believe, matter of demonstration that an income tax takes a far larger proportion of the whole income of a poor country than it does of a rich one.\* A succession duty falls on a country proportionately

\* This may appear at first a paradox, but I mean by the income of a country, all the material products that are raised within it in each year. These constitute the fund out of which the income of all classes in the country must come. It is evident that of this income a large proportion pays income tax several times. A country gentleman with a rental of £3,000 a year, pays income tax on the whole £3,000; but if he has the misfortune to be in bad health and spends £200 or £300 a year on his doctor, the income tax is paid over again by the physician. If he has the misfortune to be involved in litigation and spends the same sum on his professional advisers they also pay the tax over again. From each of their hands we might trace the income into those of others who pay it a third time. By the time the wealth, which is represented by the country gentleman's rental, comes to

to its wealth. So does a probate and legacy duty. So, probably, does a stamp duty upon deeds and upon bills of exchange. I would suggest that when the permanent charge was ascertained which should fall in common on all portions of the United Kingdom, this should be provided for by the imposition, permanently, of some general Imperial taxes of this nature, imposed by authority of the Imperial Parliament, and only to be remitted by the same.

These observations apply, of course, only to these permanent charges which exist now by law, for which taxes are raised by law, and from which Ireland has no power to escape.

But assuming that we were able, as I think we might be, to select modes of taxation which would fall on each part of the United Kingdom in proportion to its wealth, the very same modes of taxation might be used to provide for that expenditure which the Imperial Parliament would be authorized to raise by annual grant. The power of the Imperial Parliament to raise taxes would thus be restricted to certain purposes, but it would also be restricted to certain modes of taxation, and these the modes which would ensure that the tax would be distributed through every part of the United Kingdom in proportion to its ability to bear it.\*

be really consumed, a great deal has paid toll three or four times at least. The income tax in these cases is really a tax upon the transfer of income. Almost all the income tax paid by those whom Adam Smith calls unproductive labourers on income earned by their own exertions, is income tax paid a second time. I cannot follow out the inquiry in a note like this; but remembering that the income tax is levied only on incomes over £100 a year, it is, I think, perfectly capable of proof that of the entire fund of products actually raised in each year in England and in Ireland, the aggregate of national income which must be distributed among all—an income tax extracts a far larger proportion in Ireland than it does in England.

\* In the Act incorporating the Canadian Dominion the reverse of this principle is adopted. The Provincial Parliaments are prohibited from

The Federal arrangement which I contemplate is one which would preserve the Imperial Parliament in its present form. It would leave to that Parliament all its present control over everything that affected the Imperial Crown, its dominions, its colonies, and its dependencies—over the foreign relations of the Empire, and all questions of peace and war. It would leave it still the power of preventing any tampering with the permanent taxation, which is the security for the payment of the interest on the national debt, and the other charges on the revenue to which the faith of the Crown and Parliament is pledged. It would leave it still the power of providing by Imperial taxation for Imperial necessities, including an army and a navy such as it judged necessary for the safety of the country, either in peace or war—imposing only a guarantee in the nature of the taxation that the levy should be one to which each member of the United Kingdom should contribute in proportion to its ability and its means.\*

raising any revenue except by direct taxation. This was done to prevent the possibility of separate tariffs, or even the possible exclusion of the goods of one part of the Union from another. This is just one of the points in which the contiguity to each other of their provinces makes their case wholly different from that of England and Ireland. Whatever restriction might be imposed on the Parliament of England and Ireland, as to custom regulations, ought to be embodied in the Federal Constitution; but, subject to this, there is no reason why each country should not have full control over its own taxation, and full command over its own trade.

\* It is plainly of the essence of a Federal Union that either the constitution itself or some central authority must regulate the whole amount of forces which may be called for for common purposes, and the quota which is to be furnished by each member. In the Germanic Confederation of 1815, this was determined by the Articles of Confederation.

The next consideration is whether they should be in the form of a common army raised by the central authority, or an army composed of fixed contingents of each member of the Confederation.

And, lastly, supposing that it is to be one central force, is the quota of expenses falling on each member of the Confederation to be raised by



I am far from supposing that in this sketch I have indicated all the matters which on reflection and discussion it might be found advisable to reserve to the Imperial Parliament. In America the criminal laws relating to offences against the union, and the regulation of the criminal procedure relating to their trial are vested in congress and not in the legislature of each state. In Canada, while each province regulates the civil procedure of the courts, the procedure in criminal cases can only be altered by a law of the parliament of the dominion. It would be easy to suggest other matters in regard to which some reason might be urged for leaving them to the Imperial Parliament. I have suggested those which occur to me as sufficient.\* I am sure that in such a Federal arrangement the less interference the central authority has with local action the better. But there would be no difficulty in arranging all

taxation to be levied by itself, or as a part of some general taxation under the control of the central authority.

The latter is the system of the United States. We cannot propose, with any chance of success, a Federal Constitution for Ireland without leaving the Imperial Parliament the same powers in this respect as that of Congress.

If we devise a tax, as I think we can, which will fall on each country in proportion to its resources, then each country would contribute to the expense of the Confederation exactly in proportion to the practical benefits it derived from it. Imperial taxation might safely be limited to a property tax imposed equally in Ireland and Great Britain.

\* I have heard it suggested that among the matters to be placed beyond the power of our Irish Parliament should be the establishment of any religious ascendancy, or any alteration of the Act which settled Irish property in the reign of Charles II.

A provision against establishing any religious ascendancy is to be found in the American Constitution. If the reservation of the points I have mentioned would calm even unreasonable apprehensions, I believe few Irishmen would object to a provision that no Act affecting any question of a religious establishment, or the settlement of property should be passed except with the sanction of the Imperial Parliament.

questions of this nature if two intelligent persons sat down together, one, an Englishman, representing the Imperial authority, with a sincere desire to concede to an Irish Parliament everything that was necessary to give it complete independence in the management of Irish affairs; the other, an Irishman, representing Ireland, with an equally sincere desire to give the Imperial Parliament all powers that would be necessary for the safety and stability of Imperial power.

## CHAPTER IV.

### CONSTITUTION AND POWERS OF THE IRISH PARLIAMENT.

IT is obvious that it would not be possible, even were it desirable, to restore the constitution of the Irish Parliament as it existed before the Union. The franchises of most of the close boroughs have long since been numbered with the things that were. Their corporations or their freeholders have long since ceased to exist. It would be difficult to trace even the boundaries of many of the ancient boroughs; there might, I believe, be one or two instances in which it would require some little research to identify their site.

I would myself earnestly wish that the constitution of an Irish Parliament should be the act of the Irish people themselves. I would prefer the plan of sending writs to every one of the old constituencies, leaving it to the "commonalty" to elect the members by household suffrage in every place in which the select body that had usurped the old rights had disappeared. A House of Commons so elected would not be an adequate representation of the people of Ireland, if representation is to be judged by a distribution of members in proportion to population. It would, after all, supply a very fair representation of all classes in the country, and would, I believe, honestly and fairly enter on the task of constructing a system of Irish representation upon a sounder and a wider basis.

Such a plan must probably be classed among the visionary projects of constitutional action which the present generation is too wise to entertain. The constitution of the new Irish Parliament must, I am afraid, derive its form as well as its authority from an Act of the Imperial Parliament. The general principles of its constitution it is not difficult to suggest.

To constitute an Irish Parliament members of the House of Commons should be chosen by an election perfectly distinct from that of representatives to the Imperial Parliament.

The Irish House of Commons ought to be numerous enough to constitute a really popular assemblage.

Any one who will take up Thom's Almanac will have no difficulty in finding in Ireland abundant materials for the formation of constituencies that could easily return such a body. The exact allocation of members is, of course, a subject which it would be folly in suggestions of this kind to determine. I can only say that if in addition to the county members, members were returned from every town in Ireland having a population of more than 3,000, every district in Ireland would be fairly and adequately represented. In some few instances it might be desirable to group together towns, so as to give a fair share of borough representation to counties in which (such is the condition of Ireland) there are no considerable towns. In others such a grouping might be advantageous on other grounds. Districts in the neighbourhood of the metropolis, and in some other parts of Ireland, should be formed into boroughs, and thus with representatives from the Universities, and possibly from the Colleges of Physicians and Surgeons, and some other bodies of that nature, we could easily frame a constituency for a House of Commons fairly representing the Irish nation.

In presenting a plan of Federalism such as I hope and believe the Irish nation will, ere long, present to the Imperial



Parliament, it would not be necessary, or I think advisable, to propose any change in the existing franchise. The distribution of seats is an essential matter which cannot be avoided, but it would be imprudent to mix up the question of the franchise with that of the grant of the Federal Constitution. Taking the existing franchise as the basis it would be easy to select the towns which should be entitled to return members to the House of Commons. This selection of the towns and the adjustment of boundaries should be, in the first instance, entrusted to a committee or commission on which all political opinions were fairly represented. It would be easy to name men who would enter on such a duty without any other wish or thought than a determination fairly to apportion the representation. It is a subject upon which Irishmen ought to accustom themselves to think, although it is one upon which it would be absurd to anticipate the time for practical action. I will only say that any one who will give a few hours to study the question, and consider what must be, from the circumstances of the country, the constitution of the borough representation of Ireland, will have no fear that in the Irish House of Commons the intelligence and property of the country will be deprived of its just influence and weight.

Assuming then that we had thus constituted a House of Commons composed of not less than 250, and not more than 300 members, it remains to inquire what should be the constitution of the House of Lords.

The Irish peerage numbers, in all its ranks, 187 members. But of these a large number have not and never had any connexion with Ireland. I have already adverted to the manner in which, before the Union, an Irish peerage was frequently conferred. There are at least fifty Irish titles in which it is impossible to trace the most remote connexion with Ireland or Irish affairs.

The holders of such peerages could of course never expect

to take their seats in an Irish House of Peers. They should of course be permitted to retain their titles and their rank, but they should be excluded from political power, either by a special enactment or by a law, which would probably be sufficient, that no person should claim a seat by virtue of the grant of any Irish peerage which had not been followed up by his ancestor sitting in the Irish House of Lords.

But even of the remaining peerages a large number are represented by absentee proprietors. It would not be an unreasonable law which would prohibit any peer from taking his seat who had not been resident in Ireland for a certain period before he did so.

We should of course restore to the Queen that old prerogative of creating Irish peers of which by the Union the Sovereign was deprived. It would be essential, considering the circumstances of Ireland, that no objection could be offered to the granting to the Sovereign the power of creating life peerages with the privilege of sitting in the House of Lords. I am sure that we could thus form an Irish House of Peers in which the resident nobility of Ireland would take their place in the council of the nation—which would, as a deliberative assembly, maintain the fame and character of the country—and in which the Irish aristocracy could learn, as the English have done, to sympathize with, or, at all events, to yield the enlightened and deliberate opinion of the country, while they exercised the powers of control over rash legislation which it is the province of a second chamber to possess.

When I state these views as to the mode of constituting an Irish Parliament, it must be remembered that these details form no part of the principles of a Federal Union. I can only state the plan which I would, myself, be disposed to advocate and accept. I would be equally ready to assent to any other proposal which would attain the same end by other means—

that end being the institution of a Parliament in Ireland—in which enlightened popular opinion would have a free and a full representation, and in which all orders in the state would, in peaceful and constitutional relations, exercise their just and proper influence over the course of national affairs.

It is, however, something to bring clearly before the minds of men, a practical plan for constituting an Irish Parliament which involves nothing revolutionary in its character, and from the practical working of which no one who knows Ireland or the Irish people will apprehend anything inconsistent with the order and well-being of the state.

To a Parliament constituted in this manner I am sure that all classes of Irishmen might safely trust the protection of their liberties and rights. Ireland might confide to it her national destinies and hopes.

## CHAPTER V.

### POWERS OF THE IRISH PARLIAMENT.

THIS inquiry has, in a great measure, been disposed of in that which treated of the powers to be conferred upon the Imperial Parliament. The Irish Parliament consisting, be it always remembered, of the Queen, Lords, and Commons of Ireland, would have supreme control in Ireland, except in those matters which the Federal Constitution might specially reserve to the Imperial Assembly.

If the proposals already made were adopted in their integrity, the Federal Irish Parliament would have all the control over Irish affairs which the old Irish Parliament possessed—with this difference only, that Ireland would be subject to the taxation which it would be in the power of the Imperial Parliament, for Imperial purposes, to propose.

Over all the rest of the revenue and resources of Ireland, the Irish Parliament would have complete control—a control to be exercised under that constitutional restriction which obliges all grants of public money to be made only on the recommendation of the Crown. Every matter relating to the internal administration of the country—our railways, our post office, our public works, our courts of justice, our corporations, our systems of education, our manufactures, and our commerce, would all be left under the management of our domestic Parliament.



When I say under the control of our domestic Parliament, I mean in such manner as the constitution points out. The Queen, through her Viceroy, would still exercise all the prerogatives of sovereignty and control, and direct all the departments of administration, of which the constitution gives the management to the Crown. The House of Commons would only interfere when the constitution admits of its interference. Under such a constitution Ireland would enjoy that which did not exist before the Union—a government carried on by ministers responsible to the Irish Parliament and answerable to that Parliament for each and every of their acts.

The Lord Lieutenant of Ireland would be, as he is now, appointed under the Imperial Great Seal. Personally he would be responsible to the Imperial Parliament; he would be liable to impeachment before the Imperial House of Peers, but all his acts of Irish administration would be done through Irish ministers responsible to the Irish Parliament. Those ministers would stand in the same relation to the Parliament as the ministers in Canada or in the great Australian Colony stand to the Colonial Parliament. Ireland would then for the first time in her history enjoy the benefit of constitutional and parliamentary government—that is, a government carried on by ministers of the Crown, but ministers daily brought into contact with the representatives of the people—liable to be questioned in a popular assemblage for each of their acts, and under the necessity of explaining and vindicating their acts in an assembly representing the opinions and sentiments of the country whose affairs they administer. Such a government Ireland certainly does not now possess. We never can possess it as long as an assembly in which English sentiments are predominant is the only one in which ministers can be questioned as to the management of Irish affairs.

If any one is disposed to doubt the advantage to Ireland of a Federal arrangement which would restore to us a native

Parliament, even with powers more limited than those I have suggested, I would ask of him to contrast the mode in which any question of practical Irish administration is now disposed of with that in which it would be if the department to which it belonged were under the control of an Irish minister responsible to an Irish Parliament, and exposed to its questionings and its comments, exactly as an English minister is now subject to the criticism of an English House of Commons. It needs, perhaps, a little experience of the working of the system thoroughly to appreciate the incapacity of an English House of Commons to exercise over the administration of Irish affairs the real constitutional control of the opinions of the representatives of the people.

A great deal of government rests in those little things. English government is kept in sympathy with the popular sentiment, not because the House of Commons possesses the power of impeachment, or of stopping the supplies—not even because it might pass a vote of censure upon an unpopular official—but because every English minister goes down from his office to an assembly in unison with the sentiments of the English people, and in which popular feeling and popular sentiment prevail. He knows that upon the smallest matter in which any number of the people take an interest he is liable to be questioned and worried and tormented if he runs adverse to popular feeling. In the administration of Irish affairs there is nothing like this. The last thing that is thought of is the necessity of conciliating popular sentiment, or meeting the opinion of any class of Irishmen. Our system of a united Parliament supplies no Parliamentary means of keeping the Irish administration either attentive to Irish interests or in harmony with Irish feeling.

Let me say, however, once for all, that the value of free parliamentary institutions is not to be measured even by the amount of good government which they may directly

produce. Their highest and their noblest function is to be found in their encouragement of public spirit, in their training of the sentiments of independence, of self-reliance, and of national pride, which are the only real preparations for good government, and which insure it. Let us have a National Parliament, in which Irishmen will learn to manage their own affairs—in which national sentiment will find its expression—and in which Irishmen, when they differ, will be forced to discuss their differences with the consciousness that it is only Ireland, their common country, that must arbitrate between them. In the teachings of such a Parliament we would learn the lessons of national dignity and mutual self-respect. The very sense of national freedom would do for Ireland now what it did for Ireland in the years that followed 1782;\* what it did for the Italian republics in the middle ages; what it did for Belgium since 1831; what it has done in every age and in every clime for every country that has been raised from a state of dependence to self-government†—it would stimulate all enterprise, nerve every industry, and give impetus to every improvement. It would elevate every man in the community, and, in giving him a pride in his country, it would give him a new power to serve his country and himself. Give to Ireland free parliamentary institutions, and whatever be deficient in our constitution, a public opinion enlightened, and a public

\* Lord Clare, in 1798, declared, speaking of Ireland between 1782 and the period when he wrote:—

“No nation on the habitable globe advanced in cultivation, in commerce, in agriculture, in manufactures, so rapidly, in the same period.”

† All history confirms, by innumerable examples, the truth of a sentence which might be written at the head of any chapter which recorded the story of any land to which the right of self-government has been, after an interval, restored.

The narrative of all might be written in the words:—“*Mirum quam cito libertate recuperatâ respublica crevit.*”

sentiment kindled by these institutions, will soon learn to supply.

In legislation, of course, every measure should pass both Houses of Parliament, and finally receive the royal assent, before it became law. These requirements of the constitution would surely be a sufficient guarantee, if it were needed, against any attempt to do injustice to any class of Irishmen. I should be very sorry to suppose that the Irish House of Lords would ever set itself against the deliberate opinion of the Irish nation. I do not believe it ever could. But in checking a measure of injustice—if any one should ever unhappily pass the House of Commons—I believe the veto of the Lords could never be overcome.

But these imaginations of democratic violence from an Irish House of Commons are visionary in the extreme. There is no people on earth less disposed to democracy than the Irish. The real danger of democratic or revolutionary violence is far more with the English people. The time may not be far distant when a separate Irish Parliament might be, in the best sense of the word, the Conservative element in the British Confederation. Without entering on these speculations, it is enough to say that it would most assuredly be able to guard Ireland from revolutionary perils, which, I believe in my conscience, nothing but an Irish Parliament can very long avert.

I ought not to close this chapter without adverting to a question which is naturally suggested by the view we have taken of the position of Ireland before the Union. I have observed that no Act of the Irish Parliament could then become law until the royal assent had been signified, under the great seal of Great Britain. If our position is to be the same, this same assent might still be required under the Imperial great seal. If any one sees any security in retaining such a provision, I, for myself, would have no objection to its being retained.



I am not sure that one of the effects of a Federal Constitution would not be, in many respects, to strengthen the royal prerogatives, or rather, to call some of these prerogatives out of the abeyance in which the system of governing by party has placed them. For myself, I would not regret this. I am not sure that public liberty has gained anything by the establishment of a mode of government in which the powers of the Crown have been too often held in trust, first for the great houses of the revolution, and then for the party that could by any means gain a majority in the House of Commons. I have reverence enough for the old forms, as well as the old principles, of the constitution, to lament the remarkable change which has taken place in the public documents of late years. In many of our official despatches, even those on foreign affairs, we miss the reference to the Sovereign's commands which once was the invariable formula. In many of them the name of the minister occupies the place which was once filled by that of the King, as if the fiction of our living under a monarchy might as well be quietly ignored. It is in England, and not in Ireland, that the elements which threaten danger to our monarchical institutions are to be found.

## CHAPTER VI.

### A GENERAL VIEW OF A FEDERAL CONSTITUTION.

IN the preceding chapters I have endeavoured to draw, it may be with too much particularity, the outline of a Federal arrangement such as, I believe, might fairly be accepted both by the Irish and English nations. It may be well to bring together into one view the leading features of that plan.

The Imperial Parliament would meet exactly as it does now. Its business would be confined to the regulation of Indian and Colonial affairs, to voting the men for the army and navy, and the supplies for the Imperial expenditure, and to interference in foreign affairs, where such interference would be called for, and generally to such supervision of Imperial concerns as circumstances might make necessary.

In ordinary times the business of the Imperial Parliament would be light. A session of two months in the year, or two sessions of one month each, would, in general, be sufficient to enable it to "despatch," as the official phrase is, the business which it had to discharge.

But it must be said that there would be one great advantage over the present system. All that business would receive full and deliberate attention. The Indian budget would not be postponed to a hurried statement on one of the last days of the session, to be discussed in an assembly of 20

or 30 members. Colonial affairs would receive an attention for which at present they very often plead in vain.

In England—if the plan I propose were adopted in its integrity—the English members and the English peers would assemble in a separate Parliament for the transaction of all purely English affairs. Whether they would still form one Parliament with the Scotch members is a question with which Ireland would have nothing to do. If Scotland, like Ireland, wished for a separate Parliament, an arrangement might easily be made by which the sittings of the English and the Imperial Parliament might be held at intervals so timed as to summon the Scotch and Irish representatives to take part in the discussions of Imperial affairs. It has been already observed that in the union both with Scotland and Ireland the English Parliament was left untouched. Under a Federal Constitution the English Parliament would still be the Imperial Parliament, when it called Irish and Scotch representatives to its aid. Very possibly a system might be framed under which, consistently with the Constitution, the English Parliament might be summoned for English purposes in an English session, and in an Imperial session for Imperial purposes, at which latter the Irish and Scotch representatives would be present. These are details which have more to do with the facilities of the transaction of English business than with the principles of our Federal Union.

That which is of importance is that Ireland would send, as we do now, 105 representatives to vote in an Imperial Parliament on all questions of Imperial concern, and in return we would submit, as we do now, to be taxed by that Imperial Parliament, but only for certain definite purposes and in a certain definite manner.

At home in Ireland we would have our own Parliament controlling all the affairs of our internal administration. We would have the Sovereign, as now, represented by a Viceroy.

We would have an Irish ministry responsible to and controlled by an Irish Parliament. We would have an Irish House of Peers, consisting of our resident Irish nobility, with such additions of men, distinguished in any field of intellectual achievement, as the Sovereign might think fit to associate with our hereditary nobility in the Upper House—and we would have an Irish House of Commons elected under a popular suffrage by the counties and towns of Ireland, with the addition of the representatives of the few learned bodies who could fairly claim the right of sending members to an Irish Parliament.

It need not follow—it would not follow—that the persons returned to the Imperial Parliament should also have seats in the Irish House of Commons. They would be chosen at a separate election. Even in the constituencies which had the privilege of returning members to both Parliaments they might very probably be elected by different electors. It is said, I know, that under such a system the best of our nobility and gentry would still be drawn off to an Imperial Parliament. With the limited functions assigned to an Imperial Parliament, this could not be the case to any injurious extent. The great attraction for Irishmen would be the Parliament in which Irish rights and interests were finally disposed of. Great questions no doubt would arise in the Imperial Parliament in which the voice of Ireland must be heard both in the cabinet and the senate, but Ireland would be rich enough in ability to spare men to protect her interests, assert her opinions, and maintain her reputation in the great council to whose decision all questions of Imperial interest would be left.



## CHAPTER VII.

### GENERAL CONSIDERATIONS.

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#### *Failure of the Union Scheme.*

I HAVE said that I do not intend this tract as an argument against our present system of Union. I have assumed that the great majority of the Irish nation wish that system to be changed. I have occupied myself, not in proving that wish to be reasonable, but in showing how it can be safely and practically carried out. There are, however, considerations which lie on the surface of this question to which I venture earnestly to invite the attention of all persons interested in its solution.

I may ask of any rational man, Englishman or Irishman, or Scotchman, whether it be not true that the system of government established at the Union has failed? It is useless in answering this question to tell me of great measures of wisdom and liberality passed by the Imperial Parliament. Every government is to be tested by its results; and the system of rule which at the end of seventy years has not succeeded in giving peace or contentment or prosperity to a country has failed. In attaching Ireland to England—the great and primary object of the Union—it has miserably broken down. It is enough to condemn it to say that

it has not yet made us one country—one in interest and feeling. None of the Imperial objects sought by it have been gained. I have already referred to the remarkable statement of Mr. Pitt, that he urged the union of the countries, because the French attempts upon Ireland had proved Ireland to be the weak point of the empire in time of war. I have said that if England were drawn or driven into war to-morrow, Ireland would offer incomparably more temptations to an invader than it did in 1798. There is now in 1870 far less real union and sympathy between the two countries than there was in 1790. There is in the minds of a large portion of our people a hatred of English government to an extent and of an intensity which never existed before. In all the Imperial purposes of the Union it is impossible to conceive a more complete disappointment of every expectation that was entertained. Instead of uniting Ireland in bonds of common interest and feeling with England, it has more than ever alienated the Irish people. Under the Union there has grown up all over the world a race of Irish emigrants hostile to England, and forming, it might almost be said, one vast conspiracy—a conspiracy of thought and feeling, if not of action—against her power. Ireland is every year becoming more and more the weakness and the reproach of the Crown of Great Britain.

In all Irish purposes the failure is, if possible, still more complete. The social history of Ireland since the Union is a record of poverty and suffering such as could not be supplied by the annals of any other country upon earth. Hundreds of thousands of Irishmen have literally died of starvation in their own land. Millions have been ruthlessly driven from their native soil. The wealth and the prosperity which were promised us have never reached our shores. At the end of seventy years of union with the richest country in Europe, Ireland is still the poorest and the most wretched. I know of

no more melancholy or humiliating record than that contained in the annals of Irish legislation since the Union. It is even more humiliating than the gloomy roll of persecuting laws which fill up the seventy years which followed the final conquest of Catholic Ireland at the Boyne—because it records good intentions frustrated, designs apparently conceived in a spirit of wisdom and liberality mysteriously baffled. It recalls to mind the gloomy grandeur of Spenser's words\* that sound almost like prophecy of which all is not yet fulfilled. The best of our political history presents nothing but a series of blunders and failures. Measures of conciliation have invariably failed to conciliate. Measures of coercion have not yet succeeded in crushing disaffection. They have never had more than a temporary and partial effort in repressing crime. A lavish system of corruption has succeeded in demoralizing a portion of Irish society, but it has failed in purchasing for our rulers any real influence or support. The most ignoble system of police despotism in Europe has irritated and fretted and lowered the spirit of our people, but it has not given us that peace for which some persons would endure a well-administered police tyranny. Our statute book is a melancholy record of arms acts! insurrection acts! acts for suspending the habeas corpus! for suppressing party processions! for prohibiting public meetings! as if brute force was the one expedient of Irish Government, and the highest object of Irish Statesmanship was to crush down the spirit of the nation.

\* "Marry so there have been divers good plottes devised, and wise counceles cast already about reformation of that realme; but they say, it is the fatall destiny of that land, that no purposes whatsoever which are meant for her good wil prosper or take good effect, which, whether it proceed from the very genius of the soyle, or influences of the starres, or that Almighty God hath not yet appointed the times of her reformation, or that Hee preserveth her in this unquiet state still, for some secret scourge which shall by her come unto England, it is hard to be knowne, but yet much to be feared."—*View of the State of Ireland*, p. 1.

At the end of seventy years an administration the most liberal in profession that England has ever seen, is ruling Ireland by enactments more arbitrary than any previous ministry ever ventured to propose. A general disarmament of the nation is the only plan that can be devised for keeping the public peace. An Arms Act is indeed a permanent part of our happy Irish constitution, but the legislation of the last session has imported new contrivances into the well-stocked repertory of instruments of Irish oppression; or rather it has gone to distant ages and foreign countries to revive and to import and combine the rudest and the most refined modes of trampling down liberty. Towards the close of the 19th century, and under the ægis of England's glorious Constitution, we are ringing the curfew bell of the conquest, and imposing for a murder the blood-money of the Saxon kings. At the same time we are borrowing from French despotism the "warning of the Press"—while we have given to the English Viceroy the power, at his pleasure, of destroying any newspaper he thinks fit.\* This is liberal government in Ireland! To justify these measures by saying they are necessary to maintain public order is only to pass the deepest condemnation on the system of government which has brought the country to such a pass.†

\* We must do justice to English legislation. There is a formidable check upon the exercise of this power. If the Lord Lieutenant wrongfully suppresses a newspaper, its proprietor can recover damages—BUT THEY ARE TO BE PAID OUT OF THE PUBLIC FUNDS!! It is, at all events, the first time in English legislation in which the principle has been laid down that Parliament is to indemnify the officer of the executive for violating the law.

† It were easy to multiply from the speeches of every liberal statesman since the Union—I mean liberal statesmen when in opposition—the most scathing denunciations of the system of meeting Irish discontent by penal laws. A speech of Mr. Brougham's lies accidentally before me, from



And all the while there is—I cannot say in spite of, but rather cherished and fostered by, all these measures of repression, deep in the hearts of the people themselves—a sullen but fiery hatred of English rule, which most assuredly only needs a favourable opportunity to assume the form of a determination to get rid of it.

which I cannot help extracting some sentences not inappropriate to the present time:—

“Ireland with a territory of immense extent, with a soil of almost unrivalled fertility, with a climate more genial than our own, with an immense population of strong-built hardy labourers—men suited alike to fill up the ranks of our armies in war, or for employment at home in the works of agriculture or manufacture—Ireland with all these blessings, which Providence has so profusely showered into her lap, has been under our stewardship, for the last 120 years; but our solicitude for her has appeared *only in these hours of danger*, when we apprehend the possibility of her joining our enemies, or when, having no enemy abroad to contend with, *she* raised her standard, perhaps, in despair, *and we tremble for our own existence!* It cannot be denied, that the sole object of England has been to render Ireland a *safe neighbour*. We have been stewards over her for this long period of time. I repeat, that we shall one day have to give an account of our stewardship—a black account it will be, but it must be forthcoming. *We are driving six millions of people to despair, to madness!*

\* \* \* The greatest mockery of all—the most intolerable insult—the course of peculiar exasperation—against which I chiefly caution the House, is the undertaking to cure the distress under which she labours, by anything in the shape of new penal enactments. **IT IS IN THESE ENACTMENTS ALONE THAT WE HAVE EVER SHOWN OUR LIBERALITY TO IRELAND!** She has received penal laws from the hands of England, almost as plentifully as she has received blessings from the hands of Providence! What have these laws done? Checked her turbulence, but not stifled it. The grievance remaining perpetually, the complaint can only be postponed. We may load her with chains, but in doing so, we shall not better her condition. By coercion we may goad her on to fury; but by coercion we shall *never break her spirit*. She will rise up and break the fetters we impose, and arm herself for deadly violence with the fragments.—*Lord Brougham's Speeches*, Vol. iv., p. 45.

I venture to add to this a passage, not from any spoken speech, but from

*Disgrace and danger to England in the present state of things.*

I need scarcely say no Irishman ought to be satisfied with the present condition of affairs—*Ought any Englishman?* I am quite sure that the interests of England are more concerned than those of Ireland in a peaceful and equitable

a deliberate essay of Lord Brougham's, which would almost appear as if it had been written to apply to our new form of penal government, which is now the settled constitution of Ireland:—

“It is remarkable how exactly the occasional deviations from its fundamental principles in a free constitution, and the temporary introduction of arbitrary power, liken it to the worst despotisms, and produce the very abuses for which those bad systems are so renowned. To fancy that, because the suspension of any important right is but temporary, or because the uncontrolled authority conferred is to be exercised in a free state, the same abuses will not follow which are familiar to the inhabitants of Eastern nations, argues a great ignorance of human nature and a disregard of the facts which history presents to us.” . . . . .

“There is so little foundation for the arguments of those who dwell upon the harmlessness of vesting large powers for temporary purposes in the government of free states, that on the contrary such powers are more dangerous and more likely to be abused than the habitual authority of the sovereign in despotic governments. This arises partly from the tendency of extraordinary privileges to be exercised in their full extent and with a violence proportioned to their novelty, and partly from the greater confidence and fearlessness of men who derive such powers from the public, and feel that they have an unquestionable title to them. *But there is no argument more powerful against ever granting extraordinary powers than the tendency of such grants to be repeated, and the tendency of the powers bestowed to become part of the constitution. The people become accustomed to them; the rulers become fond of them, and believe that the affairs of the state cannot be administered without them.*”

The history of Ireland within the last five years confirms abundantly the wisdom of this passage. I say it with some knowledge—and I say it solemnly, I am persuaded that more wrong, and misery, and suffering were inflicted *upon innocent persons* in Irish prisons during the periods of the suspension of the Habeas Corpus Act than were inflicted in Paris in any twenty years within the walls of the Bastile.

adjustment of the relations between the countries. To Ireland the day of deliverance, sooner or later, must come. The system of government which is now crushing down Ireland cannot last. It may be after years of suffering and struggle—it may be with the sacrifice of many a patriot life—it may be with more endurance in dungeons, more victims on the scaffold—it may be when all the present generation are sleeping in their graves, but the emancipation of Ireland is certain one day or other to come. For England the question is a very different one. If Irish rights be won by a revolution the days of British power are numbered. I know the scorn and contempt with which men will receive or pretend to receive this language. But he is not a wise minister for England who defies the hostility of the Irish race. He is no wise statesman who dreams that an empire is safe which holds in its bosom one-third of its people as its foes. This is a subject upon which, for obvious reasons, I do not care to dwell. But the man, no matter in what seat of authority he sits, is a short-sighted fool who makes light of the danger with which Irish disaffection menaces English power. No one can tell the light which even a few days may throw upon the future course of European events. Even while I write victories may be won which may enable peaceful negotiations to terminate the terrible war in which two great and civilized nations are butchering each other—or new and unlooked for complications may point to a struggle in which every European nation must take part. What even a day may bring forth I know not; but one thing I do know, that if a war, such as is at least possible, does arise, and if England does go into that war with the guilt of Ireland's oppression hanging like a millstone round her neck, and the curse of Irish disaffection weakening her arm, the boldest may well look with trembling to the effect on her greatness of that struggle. It is, at least, within the limits of possibility that we may come out of that war, with Ireland a member of

the great Western Republic, or an independent state with its nationality guaranteed by the joint protection, it may be, of America and Russia, or of all the European Powers.

This language must not be misunderstood. I know that the best and wisest of Irish Nationalists believe with me that Ireland ought, by all possible means, to maintain her connexion with England. I believe that Ireland would be happier and better under a Federal Union with England than she would be either as a member of the American Confederation, or as an independent nation under the protection of any European power. I am quite sure that if England will aid our efforts by giving us the right of self-government in our own affairs, those who think thus have power and influence enough to control the passions of that section of our people whom long misgovernment has driven to believe in a separation from England as the only remedy for Irish wrong. The concession of a domestic Parliament would make the cry for separation powerless, even if it were ever raised. In a few years the wish would be forgotten. Under an Irish Government we would in seven years become more identified with England than we have in seven centuries of oppression. As the terrible barriers of separation which are raised by the exercise of tyranny and the sense of wrong disappeared, all the influences of union which are to be found in our near neighbourhood—our common language—our common institutions—our thousand ties of kindred, of interest, and of trade, would have their fair and full operation in making us not in name but in reality, in interest, and affection, one united state.

But while I thus point to the fact that all the powerful elements of Irish opinion are on the side of the English connexion—while I say, unhesitatingly, that with the concession of an Irish Parliament we may safely trust to these influences to maintain the connexion, and more than the



connexion, the friendship, of the two countries—I would not speak the whole truth if I did not add, that if Ireland is to pass through troublous times without any concession to her nationality, then, indeed, events may arise which no man can attempt to control. Among the warmest friends of British connexion there are many, very many, who believe that their first and highest allegiance is due to their native land—who would follow the banner of their country wherever it might lead, and who would prefer almost any future for that country to the prospect of the eternal continuance of things as they are.

Every right-minded man will earnestly hope and pray that means may yet be found of averting from the human race the evils which must follow a general war among nations. But if this hope be realized this will not diminish the importance, although it may remove the pressure, of the Irish question. Wars will come again. “England’s difficulty” will be, one day or other, “Ireland’s opportunity.” Spenser’s mysterious foreboding must always appear, even in the prosperous and joyous days of England, as the handwriting on the wall. When the time of trial actually comes, Ireland will be the danger—at all times it will be the weakness—of England. While the Irish question is unsettled England is insecure. If the Irish nation be willing now to accept a settlement of that question, in the form of a Federal Union such as is suggested in these pages, the English minister would be, indeed, unwise who would omit the opportunity of effecting it.

### *Effect of the Union on England.*

If I have written strongly, and it may be boldly, on the subject of the danger that attends the continuance of Irish disaffection, I have certainly done so in no spirit of menace. Still more remote from my thoughts is anything like hostility

to England. I know that it is ungracious to speak of danger from Ireland, even if it be in the language of warning. But accidental circumstances gave me an insight into the extent and intensity—perhaps I might add into the resources—of Irish disaffection, and with the strong convictions I have formed, I could not honestly conceal the belief I entertain. I turn with pleasure to a view of the question on which I can write in a manner more congenial to my own feelings, and, I admit at once, more calculated to make way with the English people.

The best argument that I can address to any high-minded Englishman in favour of the concession of a native Parliament to Ireland, is that Irish affairs would be better managed by an Irish Parliament, and that under such a Parliament Ireland would be happier and more contented than she is now. I may, however, without wounding any of his national susceptibility, use the argument that the present condition of Ireland is before the civilized world a reproach to the English nation. When in an evil hour England took upon herself the Parliamentary government of Ireland, she took upon herself a task which she could not possibly perform. A popular representative assembly at one with the people is the essential necessity of Parliamentary government. The Irish people can never find such an assembly in a representative assembly which is really and essentially an English—which at all events is certainly not an Irish—one. The failure was inherent in the very nature of the attempt; but of that failure England has all the responsibility, and incurs all the odium and reproach.

But Englishmen ought, I think, seriously to reflect whether the attempt to combine English and Irish representation in one body has not impaired the efficiency of Parliament as the instrument for the management of English affairs. The multiplicity of business which is now thrown upon Parliament is more than it can do. English bills of

great moment have been often postponed for Irish questions in which party interests were supposed to be involved. No one can doubt that English business would be far better managed if it were left to a House of Commons composed exclusively of English members, and giving their whole attention to that business alone.

But this is not all. Very many questions of purely English interests are really decided, not by a reference to English considerations, but with reference to that which is somewhat contemptuously termed "the Irish vote." It is not only that in many instances measures have been carried by the votes of the Irish members against an English majority. In some of the most important and decisive periods of recent English history, ministers have been kept for years in office by the support of an Irish party against the wish of the English people. In 1835 the Lichfield House compact displaced the ministry of Sir Robert Peel, and handed over the guidance of English affairs to that of Lord Melbourne. Who can now calculate the extent to which this influenced the whole course and policy of the present reign? From 1837 to 1841 that same Melbourne ministry was retained in office against the wish of the English people by the support of Mr. O'Connell. In 1851, and again in 1852, the Whig ministry were displaced by the votes of Irish members, whose only object was to have revenge upon the writer of the Durham letter. In 1852 the ministry of Lord Derby was displaced by a compact between the opposition and the Irish party, who were pledged to support tenant-right. In all these cases the continuance or fall of the ministry depended upon the arrangement they or their opponents were able to make for Irish support, and that support was given or withheld, not with any view to English interests or English questions, but with reference to the bargain which was made as to Irish affairs. No system of government could be worse, either for

England or Ireland, than one which makes the determination of English policy dependent on these separate and questionable intrigues. At best the purchase of the support of Irish members to any particular English policy, not by reference to its own merits, but by a bargain as to Irish policy, is in its very nature destructive of the independence and freedom of Parliament. Compacts of this nature are questionable transactions, even when conducted solely with reference to the public interests involved, or supposed to be involved, on both sides. We do not need experience to tell us how very easily and naturally they may be degraded into trafficking in which very little is thought of beyond stipulations for patronage and place.

To anyone who studies the history of English politics since the Union, it will be evident that since the Reform Bill the illegitimate action of the Irish element in the House of Commons has exercised a very decisive influence over their course. Before the Reform Bill it was not felt, partly because governments were then stronger, and did not depend so much as they do now upon the management of sections in the House—partly because, in the days of nomination boroughs, there was not the line of demarcation between Irish members and English members which there is now. Sir Robert Peel was not less of an English statesman because he first took his seat for the Irish borough of Cashel; neither was Lord John Russell because he was nominated by the Duke of Devonshire for Bandon. The governing classes in whom power was vested before the Reform Bill were nearly identical in the two countries. They had common interests, and sympathies, and feelings. With the extension of popular power created by the Reform Bill—and even more than this, with the new questions raised, and the new passions stirred by the impulse given to popular ambition—a wholly new order of things came. An entirely different assembly took



the place of the old House of Commons. The arrangements of the Union were subjected to a new test. It is easily intelligible that a system which might have worked very well in blending together two sets of members chosen by unreformed constituencies, would altogether break down when it was applied to another and a wholly different state of things. The moment the Irish vote appeared as a distinct power in the House, detached from, and uninterested in, the questions of English policy, that moment the system of intrigue and bargains, and compacts, became the inevitable result—and from that moment the House of Commons was incapable of fulfilling, even for England, the true functions of the representation of the people.

This is a view of the question which it is, of course, impossible, in the limits of this tract, to follow out; but I would venture to suggest to any Englishman who will thoroughly study the records of Parliamentary history since 1832, that he will come to the conclusion that the mischiefs which have followed the attempt to combine the two nations into one representative system have been felt in the degradation and deterioration of English Government and the English Parliament itself.

*The Mode of doing Irish Business in the United Parliament.*

As I have adverted to the mode in which English business is very often jostled and crushed out of the way of Irish party debates, I must briefly glance at the mode in which the ordinary Irish business is done.

Writing on an Irish question, I may, perhaps, adopt that very expressive form of statement which English prejudice calls an Irish "Bull," and if I am asked how Irish business is done, answer the question by saying that a great deal of it is not done at all. It were easy to give a long catalogue of measures

of practical utility—about the necessity of which there is no controversy—which every year are certainly promised the next session; and as to which we year after year await, with a patience like Job's, the fulfilment of the annual promise, which to all appearance will require the years of Methuselah to see fulfilled. Ireland has been waiting for exactly twenty-eight years for a measure embodying a very moderate but a very necessary reform in the Grand Jury Laws, recommended in 1842 by a Royal Commission of which the late Baron Greene was the chief. Seven years ago a Bill was actually introduced to carry out the recommendation of a Royal Commission to assimilate the practice of our Law Courts to that of England. The proposal commanded the universal assent of the profession, but, in the whole seven years, time has not been found to pass it. Our jury system is left in a state of hopeless confusion, because a day cannot be given for its discussion. Our law of debtor and creditor continues in its old condition, because each session an Irish Secretary or an Irish Law Officer is "reluctantly obliged" to defer its amendment until the next. I could fill pages with a list of similar postponements. If indeed the Bill for assimilating our Common Law Courts to the English still lies in the state of promise, a similar measure for the Courts of Equity has happily been passed. Fortunately for the suitors in these Courts this Bill contained a provision for the creation of a new judicial place, and each party when in office vigorously pressed it on. There was a little delay in the struggle to make it fall to the lot of one party rather than the other. The accident of a member going into the wrong lobby gave the prize to the Tories. The Equity Bill has passed. Unfortunately, most unfortunately for hundreds of suitors, the Law Bill did not contain a single clause providing a sinecure judgeship, or even one of those economical provisions which are supposed to save money by providing for the retirement of a number of vigorous

officials upon their full pay. The public interests only were concerned in its passing. It is therefore still one of "the measures of next session." No great question of policy attracts attention until it can be used as the instrument of English party. No time can be found for any practical measure unless it embodies a crotchet or a job.

But any one who knows the way in which the purely Irish business which is done is transacted, will scarcely regret that so much of it is left undone. At the close of every session in the small hours of the morning a number of small Irish Bills are introduced. No statement is made of their objects or their purposes, and they generally pass through their stages when the gray dawn of the morning is struggling with the Bude-light through the stained glass windows of the Commons Hall. The appearance of these Bills is invariably preceded by a flight of a great number of the officials, of those "boards" which prey upon every Irish interest. These officials hover, like birds of evil omen, round the lobbies, or perch under the galleries, waiting anxiously for the small hours of the morning when each of them watches over his little crotchet or his little job. These Bills are introduced under various titles and pretexts. Occasionally it may be "a Bill to give further powers to Grand Juries in Ireland;" upon examination it is found to be a Bill to saddle Irish counties with the cost of some of the numerous blunders of the Board of Works. At other times it is "a Bill to explain and amend an Act explaining and amending the Fishery Laws," and the gist and substance of it is found to be in a clause destroying the private property of some Irish gentleman which even the despotic powers of the Fishery Commissioners could not reach. Again, it may be "a Bill to continue certain expiring statutes," beginning with a few Turnpike Acts, and hiding in the corner of one of its schedules one of those coercive measures with regard to which ministers



had yielded the previous session a provision that it should be enacted only for one year. I am not drawing this sketch from imagination but from experience.

By bills passed in this manner, many of them unquestioned, powers have been clandestinely given which have frittered away every free principle of law, and subjected the administration of all Irish local affairs to the most arbitrary and vexatious interference, sometimes of the Lord Lieutenant, very frequently of some of "the boards," in very many instances of the police. No vigilance of any, even the most suspicious Irish member can detect all the artifices which lie hid under all the protean forms which these little bills assume. There is not one of them which does not contain some extension of the power of some centralizing board, some attack upon the principle of local government, some new power to the police, or some violation of public freedom. If an Irish member is content to wait in London to the very last night of the Session, and to wait each morning until the House breaks up, he is still powerless to defeat or even to expose. The bill is brought in at an hour when no one remains in the House except those of the ministers who have the strongest constitution, and their devoted adherents, whom their whipper-in has influence enough to detain in the library or smoking-room, to make a House. If two or three Irish members endeavour to stop this legislation, they are assured, by the Chief Secretary, that the bill has been carefully considered by the Board of Works or the Poor Law Board, or whatever be the department that happens to have the care of that particular job. He will probably make an appeal to "his honourable friend" to allow this bill to pass, as he can assure him his apprehensions are unfounded, and it is only intended to remove an inconvenience which has arisen from an unintentional mistake in a former statute, and it will facilitate the closing of the Session, on an early day, if he is allowed to take a stage of the measure that night. Half a dozen English



members wake up from their slumbers on the seat behind the Treasury bench, and cry "hear" with a grave deliberation intended to show their full appreciation of the real character of the bill. If an unfortunate Irish member attempts to show that real character, he is but wasting his words. He has not even the poor satisfaction of being reported. Long before that hour the reporters have ceased reporting from the exigencies of the press arrangements of the morning papers. Even if they had not, it is not a subject in which there is any interest, and the reporters put down their pen with an observation that "it is only an Irish row." If he speaks, he speaks in vain. If he attempts to divide, a number of apparitions glide along the corridors from the library, or emerge from the subterraneous recesses of the smoking-room. As they pass the whipper-in near the door these apparitions generally ask him into what lobby they are to go, and interests, it may be important Irish interests, are disposed of by the votes of those whose only notion of the measure was that the whipper-in had told them "they were Ayes."

The result is that Irish members shrink from the ungenial and thankless, as well as useless, office of scrutinizing these bills; except when something very flagrant is attempted and accidentally detected, the small Irish bills of the end of the session pass without challenge or remark.

Yet in these small bills a great deal of the practical legislation of Ireland consists. In their provisions a great deal of the practical government of Ireland is arranged. In the aggregate of many small details, there has been established by this midnight legislation in a series of encroachments upon the liberties of Ireland and independence of every Irish interest, a system of official tyranny, which has changed the whole form and character of our Government.

In one of the measures passed in this way the control of the Irish prisons was transferred to the Lord Lieutenant from the Court of Queen's Bench. It was passed as a mere

measure of administrative convenience. Its effect has been to make the Lord Lieutenant the absolute master of every Irish prison—to destroy all the old constitutional safeguards against the ill-treatment of prisoners—and last, not least, to convert the old punishment of imprisonment for political misdemeanour into a penal servitude more severe than the penalties with which many felonies were visited in the olden time. A proposal to change the punishment which fell upon O'Connell into a penal servitude, in which he would have been compelled to wear the prison dress, to live on gaol diet, to be kept in solitary confinement, and to sweep out the gaol yards, would probably have provoked an outburst of indignation even from Irish members. Yet this very change in the punishment of political offences has been made—unnoticed, and unknown—by one of these “small bills” which pass at the end of every session, as a matter of course.

If I wanted to convince any man of the necessity of a new tribunal for Irish legislation upon practical matters, I would place him in a position in which he would be compelled to watch for the last month of two or three sessions the passage through Parliament of those “small bills,” which really control a large portion of the life of the Irish people. Tried by this test, and even on the low ground of the working fitness of the machinery of legislation, the Union arrangement must be pronounced, as to Irish practical business legislation, a miserable break down.\*

\* I have not in this chapter adverted to one great and crying evil which attends our present system—I mean the costly and most unsatisfactory mode in which the private bill business of Ireland is transacted. Every private bill, such as a gas bill for one of our cities, involves a long and most expensive inquiry at Westminster, before a tribunal entirely unacquainted with Irish affairs. This evil is capable of being at least partially remedied by the establishment of a special tribunal for such purposes, following up the principle already applied to the trial of election petitions. *I have very little doubt that it will be so, and we will be mocked by having this called a concession of home government.*

## CHAPTER VIII.

### A FEW LAST WORDS.

I HAVE now completed, I fear at too great length and with too much detail, the task I have proposed to myself, of sketching the outline of a Federal Constitution such as I believe would be of advantage both to England and Ireland to adopt. I earnestly appeal to Englishmen to consider if there be anything in that proposal which it is inconsistent with the honour or the welfare of their country to accept. No thoughtful Englishman can be satisfied with the present state of the relations between the two countries. Every right-minded Englishman must feel himself reproached by the condition to which, under English government, Ireland is reduced. Every far-seeing Englishman, no matter what confidence he has in the resources and greatness of his country, must know that while Ireland is discontented Ireland must be a source, at all events, of weakness to the British Crown. All attempts that have been hitherto made to solve the Irish difficulty have failed. Is it not time to try the experiment of letting us endeavour to manage it ourselves? Why should not the self-government which has made Canada contented and loyal be equally successful in Ireland in attaining the same results? Why should not the same free system upon which Englishmen pride themselves in their own country produce in Ireland the fruits of order, and happiness, and peace? These are questions which Englishmen must ask themselves. Of one thing they may be assured, that no measure ever can or will satisfy the Irish nation while they are deprived of the

right of managing their own affairs. Englishmen never would rest content if their laws were made and their government administered by another nation. England would never rest or be at peace if the country were governed by Ireland, by Scotland, or by France.

To my own countrymen I submit this proposal as that which offers us at all events the best prospect of obtaining that self-government without which Ireland can never be at peace. I have endeavoured to place before them, as fully as these pages would admit, the relative advantages of the position which Ireland would occupy under a Federal Constitution, and under the system which was in existence before the Union was passed. I have not attempted to conceal my own belief that under Federalism Ireland would make a much nearer approach to independence than she would if we could simply restore the Constitution of 1782.

But this is not the only consideration that must influence our judgment. In all political questions we must take into account the practicability of any scheme, and the difficulties that may attend it. By a very large number, both of Englishmen and Irishmen, a simple Repeal of the Union is regarded as involving, as an almost necessary consequence, the separation of the two countries. Whether this conviction be well founded or not, it is one which has taken a deep hold upon the minds of many in both countries, who would be willing to see established in Ireland any system of self-government which would not be inconsistent with the unity of the Empire. Against any proposal for a mere Repeal of the Act of Union, unaccompanied by any provision to secure the future unity of the empire, England would struggle to the very last. For such a proposal we would not obtain the support of many of the most influential classes of our own countrymen. I am not one of those who say that therefore it could never be carried. But when? and how? Any man who reflects



calmly on these things will, I believe, come to the conclusion that—even if abstractedly he would prefer a simple return to the Constitution of 1782—if we could obtain our own Parliament, with such powers as I propose, retaining still our right to be represented in the Imperial Parliament—it would be unwise indeed to refuse this merely for the remote chances of simple Repeal, with all the delays, the uncertainties, and the perils which must intervene before that project can be realized. But, in truth, it is an inaccuracy to say that a Federal Constitution is not “Repeal.” If we establish a Federal Constitution we must, of course, repeal the Act of Union. In repealing it we abrogate all the provisions which gave Englishmen the practical power of legislating on Irish affairs. We restore the independence and the constitution of 1782. We protect and we perfect them by a Federal Union, which gives Ireland a voice in the Imperial administration, and secures unity and power to that administration itself. We adopt a measure which ought to have followed as a necessary consequence of the Constitution established by Grattan and the Volunteers.

No man can say that any political arrangement will endure for ever. In the changes of dynasties and nations—in the unceasing progress of human affairs—the best formed combinations are broken, and institutions that seem the most durable crumble away under the mouldering hand of time, and the action of the mighty current in which human thoughts and passions are for ever rushing on. No one could guarantee an eternal Union of the two countries, even upon the basis of mutual interest and mutual equality which a Federal Constitution would recognize. Among the unseen eventualities of the far off future, the hour of separation might come. But if it did come it would come for Ireland not in the form of a revolution in which the whole fabric of society would be shaken. It would come for Ireland guided and controlled

by deliberative assemblies in which the manhood and the wisdom of the country would take counsel, in which the voice of the nation would be heard, and by which, in any hour of danger, our country would be guided in the paths of national dignity, and, therefore, in those of moderation and order.

It may be that some Irishmen of extreme opinions may be dissatisfied with the proposed plan because it does not suggest any radical changes in the constitution. Complaints have been made even of the Federal resolutions because they recognized the continuance of an hereditary House of Lords. But surely a very little thought will satisfy any one that if we are to unite in making the demand for self-government it must be by meeting on the common ground of taking things as they are. If each person were to insist on inserting in our plans any particular views of his own, there is an end of unity in our struggle. We engage in a dispute about our constitution, not in a demand for a nation's rights. If I felt myself at liberty to propose changes there are several which I would recommend, some in what would be termed a Conservative direction, others in that which would very reasonably be termed Democratic. I would wish, for instance, to see some provision in which some seats should be at the disposal of the ministers of the Crown. I would earnestly desire to see a restoration of the old constitutional rights of our citizens in great towns, by the means of guilds of trades in which every man who followed a trade or a handicraft should be enrolled and have a vote. I would have wished to see the reform of the representation of the people both of England and Ireland effected upon principles like these. But it has not been so done. I must take matters as they are. All that a demand for self-government means is this, that we should transfer the constitution as it is to Ireland. The advocates of progress lose nothing by this. They will be exactly in the same position

as they are now. The friends of the conservation of existing institutions are not damaged. They will have all the means of maintaining them that they have now. If the demands of our national life require the expansion or change of our institutions, these things will be effected by the growth of opinion, and the spread of intelligence. We cannot make our institutions, any more than our Federal Constitution, binding on all time.

I admit at once that if there be a part of the plan in which there is a temptation to propose new constitutional provisions it is in relation to the upper legislative chamber. It is not without doubt and reflection that I have proposed the plan which these pages contain. But I am perfectly and entirely persuaded that even in respect of this it would be unwise to propose any new principle. I do not regard the exclusion of non-resident peers and the institution of life peerages as innovations constituting any departure from this rule. They are not inconsistent with the principle of an hereditary chamber, and both are necessities springing practically from the position in which Ireland and the Irish peerage are placed.

Even if these reasons did not exist, I cannot help thinking that we would do unwisely if we were to deprive our Irish Parliament of the dignity which, in the present state of feeling, the presence of an hereditary peerage confers. An Irish upper chamber framed upon any of the Colonial models, would be always looked down upon as an assembly inferior to the English House of Peers. By giving to the Queen the power of conferring life peerages we could combine with the dignity of an hereditary chamber, the energy and the popularity of an elective one.

But these very considerations suggest to me an appeal to that class of our countrymen who have hitherto stood aloof from all movements intended to promote the cause of Irish nationality. I believe it is of the utmost importance to the



cause of this country that they should now take their position with the masses of their countrymen in organizing, as well as demanding, self-government for Ireland. If the movement for Federalism is to go forward, as I hope and believe it is, the form of the Irish Constitution must, within certain limits, be moulded by the views and opinions of those who take the lead in carrying the movement to a successful issue. If self-government is won by the people, without the upper classes—no man will expect that the new arrangements will be made with any particular regard to the privileges of those who will be looked upon as deserting their country. If the upper classes, on the other hand, take in that movement the place which every true-hearted Irishman is willing to concede to them, they will have their voice and influence in moulding these details upon which the practical working of any constitution must depend. That they should take no part in the coming victory of the Irish nation would be an injury to the cause of Ireland—but it would be a far deeper and heavier calamity to themselves.

But surely they, of all men, are the most interested in winning self-government for Ireland. In our own Parliament they would have the weight and influence which property and station and education are sure to command from the natural instincts of the Irish people. In the English Parliament they have none. If they have any fears of injustice being done them in an Irish Parliament, I have already pointed to those constitutional safeguards which are surely sufficient to prevent it. But if any security or guarantee can be devised that will give them further assurance, I venture to think that no Irishman will be found taking part in the national movement who will object to any that does not compromise the honour of his country.

Of all the fears that ever frightened men from their propriety, the most absurd is that which apprehends danger to



Protestant liberty from an Irish Parliament. It is more than absurd, it is unworthy of men strong enough with their own right arms to protect themselves against oppression. If ever there is an attempt to lower Irish Protestants from their rightful position, it will not be from an Irish Parliament that the attack upon them will come.

But with reference to these vague fears of danger to men's religion and property, especially the latter, let me ask those of the upper classes who entertain them, are they satisfied that their present position is one of security? Can they really believe that any English minister will ever burden himself with protecting them the moment that protection becomes inconvenient to English interests, or even to those of party? It is not in our present system of government that any reliable or abiding protection for any Irish right or interest is to be found.

But we live in times when men must look forward to the possibility of events which a few years ago were unthought of. It is impossible to look at the condition of England and of the world without gloomy forebodings, to which I, for one, do not wish to give definite form or shape. Who can tell the destiny that may, before many years pass by, await England herself? Will any one venture to predict that her greatness will never fall—fall by the aggression of foreign power, or, a worse fate still, be broken up by an outbreak of the infidelity and socialism that are spreading throughout her own land? The time may come when every Irishman would wish that we had in Ireland a Parliament and a Government which an English revolution could not touch, to guide the people and control the fortunes of our country. I am unwilling to pursue this train of thought, yet it is one that forces itself on every one who can read the signs of the times. These thoughts are suggested by a view of our position which concerns all classes of Irishmen. All I say is that events may occur in which it might be vital for the highest interests of Irishmen that

Ireland should have a constitution by which, when need arose, her separate nationality and her institutions might survive unharmed a shock that may yet shatter the fabric of England's government and power. It is not in the hour of peril and confusion that we might be able to give our national existence a constitution and a form.

But turning from thoughts like these—thoughts that may be prophecies, or may be but wild speculations—whatever is to be the destiny of England in the future, it is the interest as it is the duty of the upper classes of Irish society to place themselves in the front of a national movement for self-government. It is the opportunity of a reconciliation with the people which they may never have again. In the union of all classes of Irishmen we would have the best security for the peace and order of the country. It is in the well being and contentment of the people at large, that the only real safety for the privileges of rank or for the rights of property is to be found.

If a real, an earnest, and a united effort were now made to realize for Ireland self-government such as I have proposed, I believe the eyes of all Irishmen throughout the world would turn to it with hope. There are Irishmen—earnest and true-hearted Irishmen—who have been ready to stake all that is dear to them upon the desperate effort to obtain the redress of their country's grievances by force. There are thousands and tens of thousands of Irishmen who are ready, if the opportunity offered, to follow their example. But I am sure that the most determined and earnest of them would be ready to give up, or at all events suspend, these thoughts, and watch with patient hope and expectation, the result of any movement which would hold out the prospect of a real and honest effort peacefully to obtain self-government for Ireland, and with self-government the blessings of freedom, prosperity, and peace.

Watching—watching anxiously and carefully—indications of things like these, I have believed that by an effort to obtain self-government under a Federal Union, we might not only in the end attain self-government, but in the means fit ourselves for it. To bring together in one combined national effort the separated classes of Ireland is in itself to reconstruct the Irish nation; it is to reform the broken and scattered elements of Irish society. We may win back to constitutional action the energies, and the virtues, and the heroism that would be wasted and wrecked in a wild attempt at insurrection—we may repair, wherever they are broken, the links of the religious union that bound the Catholic clergy and people together—we may reconcile the quarrels which have severed the owners and the occupiers of our soil—we may end those sacrilegious feuds which have kindled the most unholy passions in the name of holy things. All this, I have believed, might be done by placing before all Irishmen an object in which all may unite—by raising its image and its form above all the feuds and distractions that divide us—while in giving to our people the union of a common purpose, we might impart to them with it the dignity and grandeur of a united nation.

I believed a year ago that all this could be done in a movement such as these pages are written to promote. I believe so still, with an unwavering faith, if men can be found among us who can devote their time and energies to carry out these great and glorious objects, and who will pursue them with singleness of heart and with the wisdom which sincerity inspires. It is because I know and feel that such men can be found—they have been found—that with a good heart and courage I offer in these pages the little contribution of aid which I can bring to help them in a great and noble work.

## CHAPTER IX.

### THE DESTINY OF IRELAND.

I AM not content that this tract should be given to the public without the addition of a few pages which I know will, in the eyes of many, impress upon my views and opinions a visionary character. But without them this publication would convey a very imperfect and, therefore, in this instance, an untrue representation of my sentiments and thoughts.

It may appear to some that I take a low view of Ireland's future, because I am willing to ask for her a place, in some respects it may be, a subordinate one, in a confederation of the British Isles. This is not so. I have a faith, it may be a fanatical, but certainly an enthusiastic one, in a future for Ireland that will recall the glories of her ancient grandeur, and obliterate the traces of the centuries of miseries and humiliation which have intervened between that grandeur and our time.

I believe in that which is popularly called the destiny of nations—that is, I believe that nations are appointed to fulfil certain purposes in the great progress of the human race:—

“There is a Providence doth shape their ends,  
Rough hew them as they will.”

I do not envy the man who can study history without feeling this—who can imagine that he is reading the records of detached human actions, or of human actions following each other in the natural and ordinary sequence of cause and



effect, and who does not see that over all the passions and feelings of men there presides an overruling power that moulds and fashions the life of nations to some particular purpose which they are to carry out, it may be in the far off future of the story of the human race.

All those who accept the Jewish and Christian revelations, must believe in numerous instances of this. But it needs no revelation to teach any careful student of history that often in the history of mankind events have marvellously and mysteriously prepared the way for things which manifestly appear to have been determined beforehand by a power that guides the course of human affairs. Old traditions have often kept alive, in the memories of a people, stories of their origin and their bygone days, which, in after times, have shaped themselves into facts influencing their course. More frequently prophecies, the source of which is lost in the darkness of remote antiquity, have found their verification in events occurring long after the prediction had become a household word. The greatness of Rome was foretold when its dominion extended but a few miles, and to this hour the traveller who looks upon the Tarpeian Rock can recall the tradition of more than 2,000 years, which told of the perpetuity of the capitol—

“Capitoli immobile saxum,”

as he remembers that from that rock the ensign of empire, spiritual or temporal, has not yet departed. Men may say that these are traditions which bring with them their own power, and prophecies which work out their own fulfilment. I am not ashamed to say that I prefer the higher and, as I believe, the truer faith, which recognizes, in the popular traditions and popular legends, those instincts of mankind which often discern afar off the things that are to come.

There is no people on earth about whose origin so many strange traditions gather, as those which surround the cradle

of the Irish race. The strangest of all is that which associates them with the Jewish exodus from Egypt, and traces back the wanderings of the first settlers in Ireland to the shores of the Red Sea. These stories are not altogether mythical. Like most historical traditions of the olden time, legend mingles fable with the truth. Most unquestionably the traditions that have come down to us of the ancient greatness of our country are not altogether untrue. There were days when a civilized Ireland was supplied with her slaves from England and from Gaul. It was her slave trade that brought her great apostle to her shores. In her Christian era the stories of her learning and her sanctity rest upon the clearest proof. It is no myth that the College of Lismore, before the coming of the English, had 1,200 students coming from all parts of Europe to learn in its halls. In every part of Europe there are monasteries, the foundation of which was owing to the zeal of Irish monks, and which still retain the memorial of their Irish origin and name. In our own land marvellous architectural monuments remain the record of remote times. Of some of them the origin, like that of the Pyramids of Egypt or the Cyclopean Ruins of Etruria, is lost in the gloom of distant ages. But all of them tell us of a time long past, when Ireland was the home of a great and mighty people—many of them of a time when it was inhabited by an eminently Christian nation. There is scarcely one of the traditions of antiquity which have come down to us, whether it be one of our early origin or our ancient greatness—the legend of the shores of the Red Sea—the story of the Round Towers—or the tale of the Ruined Abbey—which is not inseparably interwoven with some hope or prophecy of the return of the good old days—of the time when Ireland shall be once more a great and happy land.\*

\* I may mention the familiar instance of the story of St. Brendan's Isle. It reminds me that in the Middle Ages these Irish legends had an ascendancy in Europe. No legend acquired so universal a belief as the

It would make these pages a romance to mention even a few of the legends and the traditions in which Irish memory and Irish imagination link together the future and the past. I am not ashamed to say that I believe that these things are the speaking of the instincts of the nation—the presentments of the future lying deep in the national heart. I am not foolish enough to say that because we have these legends and traditions it therefore follows that the presentments to which they give utterance must necessarily be true. Yet I believe that the hopes which have been enshrined for long years in the hearts of nations, have been, in the world's history, realized far oftener than they have been disappointed. If we turn to the great leading facts of Ireland's history they are as strange as the legends of its fable or the predictions of its traditionary lore. Like those legends and predictions, they point to the belief that Ireland is reserved for some destiny as yet unfulfilled.\*

story of the Westward voyage of St. Brendan, and the discovery of his enchanted isle. There is no reason to doubt that the legend was based on an historic fact. It seems almost certain that the adventurous Irish Abbot performed the voyage over the Atlantic many centuries before Columbus, and anchored in some of the rivers of the Western Continent. But in the then state of knowledge and navigation the story was converted into the legend of "St. Brendan's Enchanted Isle." But that legend took so firm a hold that even in modern times a treaty by which the islands of the Atlantic were ceded to Portugal, excepted from the cession the Island of St. Brendan when it should be discovered. The legend is now associated with a strange tradition that as Irishmen were the first to discover America, it is fitting that America should be the home of the exiled Irish—but as St. Brendan brought back his crew, so Irishmen are one day to return across the ocean to their own land!

\* It is strange how universal is the testimony borne to the general prevalence of this belief. Nine-tenths of Irishmen believe it. It is taught in many an ancient ballad—it has come down in many of the stories of the olden time. It is found embalmed in prophecies and legends which have been preserved in Continental countries from the days of the

The increase of the Irish race and its diffusion through all the regions of the globe to which enterprize is carrying colonization are among the most marvellous facts in the history of man. By how many remorseless wars, by how many merciless slaughters have their oppressors sought to exterminate that race? Too often English rule in Ireland has been one bloody and pitiless attempt to drive them from the earth. Even Spenser, "the sweetest poet of his time," can scarcely forbear exulting in the desolation of Munster by the wars of Elizabeth and James I.\* The war of the Great Rebellion

Middle Ages. Even those who devote themselves to the study of the Scriptural Prophecies have, with wonderful unanimity, fancied that they discovered grounds for the belief that Ireland, never having been subject to Imperial Rome, is to escape miseries which will fall on the other nations of Europe. I believe that in these common and general impressions, unaccountable as they often are, there is the evidence of truth. History tells us that such general beliefs have almost always proved true.

\* "The end will (I assure me) be very short, and much sooner than can be in so great a trouble, as it seemeth hoped for, although there should none of them fall by the sword, nor bee slaine by the souldier, yet thus being kept from maunrance, and their cattle from running abroad, by this hard restraint they would quickly consume themselves and deuoure one another. The proof whereof, I saw sufficiently exampled in the late warres of Mounster; for notwithstanding that the same was a most rich and plentiful country, full of corne and cattle, that you would have thought they should have been able to stand long, yet ere one year and a halfe they were brought to such wretchednesse as that any stoney heart would have rued the same. Out of every corner of the woods and glynnes they came creeping forth upon their hands, for their legges could not beare them, they looked like anatomies of death, they spake like ghosts crying out of their graves; they did eat the dead carrions, happy where they could find them, yea, and one another soon after, insomuch as the very carcases they spared not to scrape out of their graves; and if they found a plot of water cresses or sham-rocks, there they flocked as to a feast for the time, yet not able long to continue there withall; so that in a short space there were none almost left; and a most populous and plentiful countrey suddainely left voyde of man and beast; yet sure in all



made Ireland almost a desert. The destroying sword of Cromwell came to glean what the war and the pestilence had left. Persecution trampled down the Irish people—all policy and all power combined to crush them out of their native land. Misery and poverty seemed to leave them without the means of bringing up their little children to perpetuate their race. Every few years the periodical visitation of the Irish fever—it had its own character—devastated their dwellings. Yet, like the Israelites in the land of Egypt, they multiplied and increased. In our own day they have been driven in thousands and hundreds of thousands from their homes. Evictions and famine have swept the land with scourges far more terrible than that of war. Yet the Irish people are still numerous and great—and the race which long and savage wars have given to the sword—the race which in the days of Spenser was represented by the gaunt spectres of famine creeping from the glens—the race whom the sword of Cromwell spared not—the race whom the famine of our own day swept down to the pit—the race whom the evictions of our own day had well nigh driven from their old land—that race has survived wars, and pestilences, and famines, and oppressions, and exterminations. The Irish are still the strongest in their own land—while millions of Irishmen, scattered over the globe, are banded as one man in love of their old country, and in remembrance of her wrongs!

But even this is not all. This people, “scattered and peeled” as they are, have preserved their nationality in all the lands into which they have been driven. Like the chosen people of God, they are among the nations but not of them. Wherever the Irish are, they are separate and distinct. They associate with, but they are not mingled with the communities

that warre, there perished not many by the sword, but all by the extremities of famine, which they themselves had wrought.”—*View of the Condition of Ireland.*

among which they move. Every where, in every clime and land, even among their nearest neighbours, among those whose language they speak and whose habits they acquire, their nationality is separate and distinct.

In all their miseries and in all their oppressions they have kept virtues and qualities that fit them for a higher and a nobler condition than any they have filled for the last 700 years. Where are the affections of home and family stronger or more beautiful than in this down-trodden Irish land? Where is there more love or tenderness than round the poor Irishman's domestic hearth? Where is the hand of charity so freely extended to the poor? Where is the stranger so welcome to the share of the scanty meal? Where is the marriage tie more sacred? Where is female virtue more honoured? Where is there the same sense of religion that makes the pious prayer the household word of the father, the mother, and the child? In what other country will you find, in the humblest homestead, a piety that has no ostentation, and a charity that knows nothing of show, give to the poorest of the peasantry a simple courtesy and grace which riches cannot purchase, and education has often not imparted to their prosperous and well-to-do visitors from another land.

And surely even those who do not kneel at their altars may yet marvel with awe and admiration at the supernatural fidelity with which the Irish people have clung to their ancient faith. All inducements of temporal advantages have failed to win them from that faith. All the blandishments of wealth—all the seductions of power—all the influence of rank and station, and superior education—have never shaken the faith of the Irish people. In persecution they have been true to it. In the severer trials of poverty and depression they have never bartered it away. Excluded from privilege—deprived of the rights of freedom—driven from the education he most valued, the Irish Catholic has continued

Catholic, when by a conformity to the dominant faith he could have purchased admission to them all. The devotion of the Irish people to their religion stands out alone in the history of mankind as a monument of fidelity which nothing could shake—of energy which nothing could subdue. It is something to which the annals of nations can raise no parallel. Records of individual heroism there are many in all ages and in every clime. Martyrs in all times and countries have left us the example of their constancy and their faith; but history records nothing like the fidelity and devotion with which in Ireland a whole people adhered to their religious belief. Even now when persecution has passed away, and the love which persecution kindles might have waxed cold, the gorgeous churches with which the free-will offerings of a poor people are literally studding the land, supply a proof of national religious devotion and self-sacrifice such as few nations on the earth could supply.

The more these things are thought of the more will strange reflections rush upon the mind. I do not believe that it is without a purpose that the God of nations has thus preserved and multiplied the Irish race—that their nationality has thus been kept separate and distinct. I do not believe that great and noble qualities like those of our people are never to find any higher employment than they have now. The observation might apply to many other things than those which I have enumerated. There is not an element necessary to make a great nation which Ireland does not possess—which was not abundantly proved and developed in the short interval of our independence. The Providence that bestowed upon Ireland these great qualities must surely intend that one day or other they would find their work to do.

But is it altogether a vain imagination to believe that even in her sorrows and her sufferings Ireland may have been mysteriously kept and prepared for some high purpose which

in God's good time she is to fulfill? If persecution has its sharp and sore trials, it trains a people to fidelity and endurance. The poverty of a country may save it from many of the evils which attend on luxury and wealth. If we have not had in Ireland the manufactures of England, we have escaped the fearful demoralization which some of those manufactures have brought with them to the masses of the people they employed. If we have not accumulated the great capital of England, our mercantile community have not been degraded and depraved by the gigantic and remorseless swindles by which financial agents have destroyed the once high character of English trade. Above all, we have not a population outgrowing the means of religious instruction, and living in a state of heathenism. It would be utterly impossible in Ireland for incidents to occur like those which we are assured by parliamentary papers to be common "in the black country," where grown up men and women knew nothing of Jesus Christ. In England there are many publications advocating infidel opinions, and enjoying a large circulation—in Ireland there is not one. Ireland is essentially a religious country, and men of all creeds shrink from the scepticism which is spreading rapidly through English society. I say it in deep sorrow, wealth and luxury have brought to all classes in England contaminations and abominations from which Ireland may rejoice that her poverty has kept her free.

These things, and many things like these, suggest irresistibly to my mind the belief that Ireland is kept for some great purpose to be fulfilled, it may be, many a long year hence. The Providence that has watched over the Irish people has designed and is fitting them for some high and noble end. I know how easy it is for the scorner to point in mockery of such hopes to Ireland, torn, bleeding, and distracted as she is now. I know all the reproaches with which she may be



reproached. I do not conceal from myself the vices with which a false and anti-national system of government has corrupted the sentiment and enervated the spirit of too many of her upper classes. I do not extenuate the faults from which no enslaved people were ever free. I know the power of the influences which weaken, and lower, and divide us. I have felt, and gauged, and mourned over all the discouragements which have shaken and marred the faith of many who were disposed to believe as I do. But I know also that there are in the Irish nation virtues, and energy, and spirit enough to rise above all these. I know that we have qualities as a nation which only need self-government, with its duties and its responsibilities, to bring them into great and glorious action, before which all those things that lower, and divide, and reproach us, will vanish away.

It is in this sense I say that I am persuaded that Ireland has her destiny—some good purpose, for which, to use the words of Spenser, our country is “reserved.”

It would grieve me to think with Spenser, that “the Almighty hath reserved her for some secret scourge which by her shall come unto England.” I rather look back to the traditions of the past—to the days when Ireland was “the land of saints”—when her missionaries carried learning and Christianity to the continent of Europe, and young men travelled from distant countries to learn religion and literature in her monasteries and her schools.

May we not believe that the other alternative to which Spenser looked will be realized, “that the Almighty God hath at last appointed the times of her *reformation*”—of the reconstruction of her ancient greatness, and that with the passing away for ever of her “unquiet state,”\* she may prove

\* Let no person reproach me with the assumption I make, that with the concession of self-government her unquietness would cease. I have perfect confidence in the tranquillizing powers of a free constitution. Who

not the scourge but the strength and blessing of her sister land, returning to that sister good for evil. Most assuredly, in Ireland we possess the elements of a state which might exercise a good and beneficial influence, wherever that influence could extend; and if ever the time comes when the evil influences which unhappily exist in England should prevail in her social and political system over the virtues which unquestionably belong to a large portion of her people, it would be well for England herself that she had near her, and allied to her, a legislature and a nation which those corrupting influences had never reached.

I know how easy it is to throw out the vulgar sneer which points to the religious dissensions of Irishmen as a source of disunion and quarrel among them sufficient ever to prevent us presenting the spectacle of an harmonious and united state.

Those religious dissensions have been fostered, *and are still fostered*, by our English rulers for the benefit of English rule. With the abolition of English domination they will pass away. It was England which forced the reformed faith upon the Irish for the purposes of her own dominion, just as for her own purposes she had forced upon Ireland the requirements of the Bull of Pope Adrian IV. It was England that

can forget the splendid imagery in which Burke has embodied a great truth:—"Peace, order, and civilization followed in the train of liberty. When the day-star of the English Constitution had arisen in their hearts, all was harmony within and without—

" ' Simul alba nautis

Stella refulsit,

Defluit saxis agitatus humor :

Concidunt venti, fugiuntque nubes :

Et minax (quod sic voluere) ponto

Unda recumbit."—

*Speech on Conciliation with America.*

made the Protestants of Ireland her garrison, upholding them in return in an ascendancy which made the political position of Protestantism odious, not because it was Protestant, but because it was anti-Irish. I believe there is no country on earth in which there is less of hatred of others on religious grounds than that which exists in Ireland. I apply the observation chiefly to Roman Catholic Ireland. The long struggle for their own freedom—a struggle in which they appealed to the great principles of civil and religious liberty, the lessons in these principles which were made immortal in the eloquence of Grattan and of Curran—which were branded on the Irish soul in the burning words of O'Connell,\* have impressed upon the Catholic people of Ireland a spirit of liberality and toleration in which they will bear comparison with their co-religionists in any European country. If fiery hatreds ever range themselves under the banner of religious difference, they are hatreds not of any faith or creed, but of the ascendancy with which the people believe themselves to have been trampled down.

In no country in the world when once the idea of religious ascendancy is exterminated, has the intermingling of Protestants and Catholics ever marred the vigour or the unity of a nation. It is strange, indeed, that those countries who show most union and energy are those in which diversity of religious faith prevails. History records nothing like the power and the energy with which Germany has moulded together her populations professing as they do different creeds. King

\* Let me say it with melancholy reverence for his memory, Protestant Ireland has never, in this respect, done justice to this great Irishman. No man ever lived more opposed to religious intolerance—no man would more strenuously have opposed any sectarian ascendancy, or any attempt at political dictation by any spiritual power. No misrepresentation of his character could be more unjust than that which would describe him as the slave of prejudice or bigotry, or the servile adherent of ecclesiastical rule.

William, in his North German army, is leading, at least, as many Catholic as Protestant soldiers to the field. In the American Republic, and in that of Switzerland, there is a similar division of religious faith—so there is in Belgium. In France there is a numerous Protestant population; and so little does religious prejudice prevail, that a Protestant prime minister of France enjoyed in our time the longest tenure of power. Similar results have followed—indeed, they preceded—the establishment of free constitutions in Austria and Hungary. In Saxony a Catholic sovereign reigns in the hearts of his Protestant people. It is only when a religious ascendancy is attempted that religious differences become the source of national weakness and national dissensions. It is political intrigue that degrades religion into strife.

So far from believing the differences of religion which exist in Ireland to be any hindrance to our discharging the highest functions of a nation, I am persuaded that even in our very dissensions there has been a training which will give Ireland a power which no nation of one creed could possess. Ireland—Presbyterian, Episcopal, and Catholic—will attract to her sympathies, which a nation composed exclusively of one denomination never could command. The very strength of each class will prohibit and drive away the thoughts of the domination of any other. The lesson which has been taught in the overthrow of the Protestant establishment will not be lost on any section of the Irish nation. The presence of another section of Christians will be equally a check upon the negligence and the intolerance of each church; and in the necessity imposed on us of mutually respecting the opinions of each other Ireland will learn the great lesson of that toleration, without observing which no nation can ever be really great.

Even in our religious differences—in the fact that we have within our borders three great Christian communities, each strong in its intellect, in the social position of its members,



and in its numbers, I see a preparation for the part which it is the destiny of Ireland to take in the history of the world, and an earnest that no narrow or illiberal prejudices will disqualify her from filling it.

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I need scarcely say that the views expressed in this chapter are very remotely, if at all, involved in the discussion of the question of a Federal Constitution for Ireland. They prove nothing but the perfect faith I myself have in the fitness of self-government, in union with England, to do full justice to our national life. Men may reject those views as altogether visionary, and yet yield to the force of the practical considerations which establish the necessity of domestic government for Ireland. I am conscious, indeed, that to many the words I have written on this subject will appear only to record the visions of a dreamer. Yet to those who have accustomed themselves to study thoughtfully the signs of the tendencies which irresistibly control human affairs I do not fear to submit them as the words of soberness and truth.

The time may be far distant when they can be judged by the practical test of actual events. That time may not come until the writer of them is long forgotten in the dust. He whose hopes and thoughts for his country could be limited to the narrow span of his own life would not be worthy to hope or think for her at all.

Long years may pass away, and many generations go to their rest before the destiny of Ireland is completely fulfilled. Years in the life of nations are as days. Yet we live in times when events succeed each other with a rapidity that crowds history into a brief space. No one can say that, even in the

years of this generation, events may not occur which will call on Ireland to bear in the history of mankind a place for which God has designed her. Sure I am that a very few years of self-government will exhibit in her people qualities, and virtues, and energies which, long obscured and even perverted as they have been by slavery and oppression, will prove for Ireland her fitness for the noblest destiny that has ever been foreseen for her.

At all events I would not do justice to my own thoughts—I would fail to speak to the hearts of thousands and tens of thousands who believe, and feel, and hope as I do, if, even in these pages of practical and business-like discussion I did not leave the record of our faith in our country's future. Most assuredly they have been written with no wavering in that faith. The proposals they contain are made with no faltering confidence in that country's highest and most glorious hopes.

## APPENDIX.

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LISDOONVARNA, *October 10, 1870.*

DEAR SIR,

I thank you for your pamphlet on Federalism. I have read it with much interest, and, I may add, with desire to see my way to joining the movement you have so ably inaugurated for Ireland.

The recent violation of the fundamental condition of the Act of Union by the disestablishment of the Church removes what might otherwise have been, with a member of the Protestant establishment, an objection to moving for its repeal; but now the Protestants of Ireland are as free as the Roman Catholics always have been to do so.

You have, in your pamphlet, very justly noticed how totally the Union has failed to produce the benefits that were promised from it, and your remarks are but too plainly borne out both by the extent to which disaffection prevails in Ireland, and by her deplorably backward condition, so different from the marked advancement of the sister country, in education, wealth, and all that conduces to national prosperity and contentment. If the comparison is humiliating to Irishmen it is also discreditable to the government of the United Kingdom; for whatever other circumstances may have contributed to produce it, there is one fact that might alone be quite sufficient to account for the contrast between the two countries—it is that whereas England has the advantage of being governed by those who are intimately acquainted with her interests, and practically responsible to her for attending to them, Ireland is powerless to obtain for her interests the attention they need from ministers who commonly

care little and understand less about them, and who can always plead for their neglect, what has long been a received axiom in the United Kingdom, that "the case of Ireland is, and has always been, an insuperable difficulty." Such, certainly, has been Ireland's seventy years' experience of English or Imperial rule; the suggestion, therefore, that you make in her behalf, of a home government, and the question how it should be carried out, may reasonably be urged upon the consideration of those that desire her welfare.

I am glad that you do not take up the notion of a simple repeal of the Union, as advocated in the time of O'Connell. Your proposition of a federal, instead of the legislative, union with Great Britain, would, as you have shown, render Ireland, in respect of her government, far more independent than she would be if she were replaced in the relation to England in which she stood before the Union, and would, I believe, greatly conduce to the strength and general interests of the Empire. Your chapter on the Irish Parliament before the Union, certainly does not commend to acceptance a simple repeal of that Act; and, on the other hand, what you have written under the head of "Failure of the Union scheme," regarding the mode of doing Irish business in the United Parliament, shows unquestionably the unsatisfactory nature of the existing relations between the two countries. The remedy you propose is to give to Ireland a home government, under a Federal Union with Great Britain. The question then arises, how shall so desirable an object be compassed? For this you would provide by giving at once to Ireland a separate constitution, similar to that of the United Kingdom. I do not undervalue the British Constitution. In theory it affords the best security for liberty and good government, and under it England has risen to her present greatness; but it must be remembered that it has been, in English soil, a plant of long growth and gradual development, and that from it has only of late years arisen that preponderance of power in the popular assembly, for the exercise of which, with benefit to the community, great experience in the conduct of public business,



and clear views of the interests of the country, are as necessary as the highest order of native talent and patriotism. England has been trained to self-government, but Ireland has not; and it may be doubted whether she at present possesses the materials for providing any constitutional check upon a powerful but inexperienced democracy. In your chapter on "The Constitution and Powers of the Irish Parliament," you say you would not propose any change in the existing franchise, and that you would take it as the basis for a considerable extension of representation to towns. I do not, I confess, see anything in such a proposition to beget confidence in the constitution of the future Irish House of Commons. The public have lately had before them, besides other evidences of utter unfitness for the exercise of an important public trust, the most disgusting exhibitions of corruption among the constituencies, brought to light by the trials of election petitions that have followed upon nearly every contested election. With such experience before us it is at best very doubtful whether, under the existing franchise, constituent bodies could be formed likely to choose as their representatives men of high character and integrity, or who did not seek for seats in Parliament for purposes rather selfish than patriotic.

Were the Irish Members of the Imperial Parliament to be taken as a sample of those that would compose the future Irish House of Commons, the future of the country would be seriously compromised by being committed to such hands. By your own account of what you say was *contemptuously* called "the Irish Vote," (in other words) of the majority of the Irish Members, returned by the existing constituencies, they have, as a body, repeatedly lent themselves to party intrigues discreditable to members of a legislative assembly, and to the character of the country they represented; and I believe it may be affirmed, that for the originating or carrying of any measure of social improvement, Ireland has never been indebted to "the Irish Vote." The Poor Law Act for Ireland, which alone reflects credit upon the Imperial Government, and was no party measure, found no support at their hands, but was, on the contrary, strenuously opposed by them. I am not

prepared to say exactly how the representative body for Ireland should be constituted, but to render it worthy of public confidence, the past would plainly justify a considerable modification of its structure. Greater changes than are necessary should, of course, be avoided, and existing rights, wherever they have not been abused, should be respected; but all persons to be hereafter admitted to the elective franchise ought to be qualified by education for the exercise of so important a trust; and it would be an act alike of justice and sound policy to give, in an assembly that should consist of men of the highest order of intelligence, the right of being represented to the several learned bodies that at present, with the exception of the Dublin University, are ignored in the constitution of the House of Commons. It might also be well, before pressing for the establishment of an independent Parliament for Ireland, to await the results of those measures of reform, that are said to be under consideration, in the mode of voting and in the distribution of seats. The constitution, functions, and powers of the House of Lords would further have to be very carefully considered and defined, before a legislature of Queen, Lords, and Commons, should be given to or accepted by Ireland.

In the meantime, however, a step might be taken, which, while it would confer upon our country great and immediate benefits, would be acceptable to England by the relief it would afford to Parliament from the over-pressure of business. Having had frequent opportunities of noticing to what undue costs and inconvenience the promoters of private Bills for Irish undertakings are subjected, by the needless reiteration of the same evidence before committees of each of the two Houses of Parliament, involving, besides the expense of a long journey, that of a protracted detention and maintenance of witnesses in London, along with the disadvantage of the objects of their bills being examined into by committees and lawyers both commonly alike ignorant of the circumstances of the country and of its population. I have long been of opinion that in lieu of select committees of the two Houses sitting in London, a general committee composed of the Irish Members of the House of Commons and of Irish Peers,

having seats in Parliament, meeting in Dublin a month or six weeks before the opening of the Parliamentary Session, would be a body much better fitted to inquire into and report upon all private Bills from Ireland intended to be laid before the two Houses. The work of such general committee would, of course, be carried out with the aid of sub-committees, before which members of the Irish Bar would practice, as English lawyers have done hitherto, almost exclusively, before committees sitting in London. To the same general committee might also, in the first instance, be submitted, to be reported upon, all public bills relating exclusively to Ireland. If this were the rule, due attention would probably be secured to all such measures as might be of value to the country, and the surreptitious passing of jobs in legislation, so well exposed in your pamphlet, would be prevented. A responsibility in the work of legislation for Ireland being thus cast upon an assembly exclusively Irish, a very important step would have been taken towards the more complete concession of the right and duty of self-government; and by accustoming the leading men of different parties and creeds in Ireland to consult together upon the business of the country, the foundation would be laid of that well-understood community of interest in her welfare which is essential to the success of such a measure. The above, or some other such arrangement, giving to Irish Members of both Houses their due weight and a distinct duty in legislation for Ireland, should commend itself to the consideration of the British statesmen upon this, as well as upon other grounds, viz., that a course of imperial policy so plainly directed to the good of Ireland, irrespective of creed or party, would more than any other means tend to remove that spirit of disaffection, that is at present and has been for a long time, only kept under by extraordinary measures of coercion, and render Ireland a source of strength to the Queen's dominions through the union and loyalty of her population. It must, however, be remembered that, whatever may be said or thought by an Irishman of the advantages that a home-government might confer upon Ireland, the concession of such a boon must depend upon the will of the Imperial Parliament. Any hasty or ill-conceived measure would

therefore be certainly rejected, and any attempt to extort it by violence or intimidation as certainly unsuccessful. But I have every confidence that if it should be clearly shown that the concession would be of real advantage both to Ireland and to the rest of the United Kingdom, it would be favourably considered, and in my judgment, the time for so considering it is just now the most opportune.

The views I have above suggested would not satisfy those who look forward impatiently to a great end, but they are, I conceive, the best suited to make that end attainable; and even if the movement were to go no further than the preliminary step I have suggested, I would prefer to stop there to taking at once a great leap in the dark.

I am, dear Sir,

Your's faithfully,

CLANCARTY.

ISAAC BUTT, Esq., Q.C.,  
&c., &c., &c.



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